19 APR 1984

The issuance of this delisting letter by the Department does not indicate, or imply, and should not be construed as a waiver of any requirements pursuant to the New Jersey Water Pollution Control Act, N.J.S.A. 58:10A-1 et seq. and regulations promulgated thereunder concerning New Jersey Pollutant Discharge Elimination System, N.J.A.C. 7:14A-1 et seq. If your facility is in any of the regulated categories identified in the above cited regulations you are hereby directed to apply for any and all permits necessary within ninety (or 180 days - at the option of DWR) to the Bureau of Ground Water Discharge Permits, CN 029, Trenton, New Jersey 08625. Applications may be obtained by calling (609) 292-0424.

If you have any questions, please feel free to contact this office at (609) 292-9880.

Very truly yours,

Frank Coolick, Chief
Bureau of Hazardous Waste Engineering

EP7/ch

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

RECEIVED
NOV 6 1980
NOV 3 1980 MATHESON-LYNDHURST

OFFICE OF WATER
AND WASTE MANAGEMENT

Distribution:
W. Barlen
D. Keehn
E. Olsen
D. Scott
S. Shumway
R. Sterrett

Lawrence W. Bierlein, Esq.
Compressed Gas Association
Suite 701
910 Seventeenth St., N.W.
Washington, D.C. 20006

Dear Mr. Bierlein:

This is in response to your inquiry regarding applicability of the Resource Conservation and Recovery Act, and hazardous waste management regulations issued thereunder, to the practice in the compressed gas industry of repetitive transportation of cylinders by gas manufacturers and their customers.

As described to us during your meeting here on October 15, all cylinders are owned by or are under the equivalent control of the gas supplier. When the customer has completed his use of the gas, the cylinder is returned to the supplier. As a matter of safety, there is residual pressure in the cylinder when it is returned. (The return transportation is extensively regulated by the Department of Transportation under the federal Hazardous Materials Regulations, 49 CFR 170-189.) The customer's purpose in making the shipment is to return the supplier's property, not to discard the remaining contents. The customer does not make the decision on the final disposition of the residue in the cylinder; this is the exclusive prerogative of the gas supplier. Further, the decision whether or not to discard the contents of the container is not made until the container is returned to the supplier.

Under these circumstances, the customer is not generating a waste by merely returning the cylinder and, neither the returned container nor the contained residue is a "solid waste" as that term is defined in the Resource Conservation and Recovery Act and Part 261 of the EPA regulations of May 19, 1980. Under §261.3(b)(1), a material must be "discarded" before it can be a solid waste. The description you have provided indicates that residual gases are not discarded until the cylinders are returned to the supplier, that no decision is made to discard

the residual gases until the cylinders are returned, and that the customer plays no part in this decision. Therefore, the material is not discarded until the cylinder reaches the supplier and a decision is made whether to discard the residual gas. Consequently, the customer's return of the supplier's cylinders that may hold some residue is not the shipment of a solid (or hazardous) waste. Simply returning such cylinders does not make the customer a generator, and the shipment need not be manifested to an EPA-permitted facility or be carried by a hazardous waste transporter.

Sincerely,

John P. Lehman

John P. Lehman, Director
Hazardous and Industrial Waste Division
Office of Solid Waste (WH-565)

W. Barlen
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Sincerely,

John P. Lehman

John P. Lehman, Director
Hazardous and Industrial Waste Division
Office of Solid Waste (WH-565)

Facility: Matheson Gas Products Inc.	Loc: East Rutherford, NJ	SIC:
ID: NJD042793976	Insp Date: 11-20-92	Revw Date: 3-30-93
Fac Pers: John L Sidwa	Region: Metro	Revw: MVINCH
Title: Branch MGR	Insp: Boleslaw Czachor	Notif Date:
Tel#: (201) 933-2400	Insp Type: Gen/LDR	Stat: File NOV 3007
Stat: Gen Trans TSD	State Act:	Initiative:
Recv TSDF:	Refer:	Oth Prog:
Vol/Mo:	Treat Units:	Comm Date:
GW Wells:	Stor Units: containers	$ Info:
Permits: NJPDES, air(12)	Waste Codes: D004, X726, D002	

Operation: Specialty gas products supplier. Repackaging of gas & making mixture of gas for cust. specs.

Process: no manufacturing or generation of gases take place at the facility.

HW Gen: Scrubber waste, spent tools small lab packing, process H2O

Waste Codes: D004, X726, D002

TSDF: AETC, Dupont, S-K, Chemical Mgmt

HW Det: Knowl: X TCA: TCLP: X

Manif Revw: Y Out: N Code: LDR: Stor:

Manif	Date	Code	Def

Field Novs:

Compl Sched: Achieved:

Stat (ty, cpl, ref):

Compl Hist:

IDate	Viol	Class	Act

Rep Docs: Gen/LDR/Samples

Insp Comm (date, re outcome):

Doc Req:

Fac Comm (date, re, outcome):

Doc Req:

TSDF Comm (date, re, outcome):

Doc Req:

NOV 3007 Other

Cit:

Notes:

File Docs:

EPA Action	Date Issued	Due Date	Extention Req	New Date	Date Rec'd	Stat/Comments

C M E L FORM
****

REGION: METRO

FACILITY INFORMATION

EPA ID # NJD 042 793 976

IF NON-NOTIFIER CHECK HERE ☐

FY / QUARTER: 93 / 2

FACILITY NAME: MATHESON GAS PRODUCTS CONTACT: JOHN L. SIDLA

FACILITY PHONE: (201) 993-2400 LOCATION ADDRESS: 932 PATERSON PLANK RD

COUNTY/MUNIC. CODE: 12 2 1 2

FACILITY INFO.-- MUNICIPALITY: E. RUTHERFORD STATE: NJ ZIP: 07073

CORPORATE INFORMATION

CORP. NAME: SAME STREET ADDRESS: _____

LOCATION: _____ STATE: ____ ZIP: _____ PHONE: (____) ____-____

CORPORATE CONTACT: _____

FILE NO: 02 12 04

MAILING INFORMATION

NAME: SAME PHONE: (____) ____-____

CONTACT: _____ TITLE: _____

STREET ADDRESS: _____ ADDITIONAL ADDRESS: _____

POST OFFICE: _____ STATE: _____ ZIP: _____-_____

INITIAL INSPECTION ☒

INITIAL INSPECTION DATE: 11/20/92

DATE *N O V* ISSUED: __/__/__

SCHED. COMP. DATE: __/__/__

DATE COMP. ATTAIN: __/__/__

CIRCLE * TCLP NOTIF.: (Y) N * SITE VISIT: (Y) N * DATE ASSIGN: 11/06/92

APPROP * MULTI-MEDIA: Y (N) * FEE INSP: (Y) N * DATE REVIEW: __/__/__

LETTER * LAND BAN: (Y) N INSPECTOR/REVIEWER: B OTHEK

REGULATORY STATUS: 1 EVALUATION TYPE CODE: S 1 GRANT CODE: 0 1 ____

FOLLOW UP INSPECTION ☐

FOLLOW UP INSPECTION DATE: __/__/__ INSPECTOR/REVIEWER: _____

DATE REPORT REVIEW: __/__/__

SITE VISIT: Y N * EVALUATION: ____ ____ GRANT CODE: ____ ____ ____

FEE: Y N * TYPE CODE

CMEL GRID FOR: INITIAL INSPECTION ☐ FOLLOW UP INSPECTION ☐

CLASS OF VIOLATION	GW	CLO	$$$	PTB	SCH	MNF	LDB	OTH
I*						O		O
I						O	2	O
II						O		O

X = VIOLATION
O = NO VIOLATION
H = HIGH PRIORITY VIOLATOR
Z = UNDETERMINED/ UNDER INVEST.

(ENTER Z, X, O OR H IN APPROPRIATE BOX)

GW = GROUND WATER SCH = COMPLIANCE SCHEDULE
CLO = CLOSURE MNF = MANIFEST $$$ = FINANCIAL RESPONSIBILITY
PTB = PART B LDB = LAND BAN OTH = OTHER

COMMENTS: _____

NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION
DIVISION OF HAZARDOUS WASTE MANAGEMENT
HAZARDOUS WASTE INSPECTION REPORT

DWM-029

GENERATOR INSPECTION REPORT

FACILITY INFORMATION

FACILITY NAME: MATHESON GAS PRODUCTS Inc

FILE NUMBER: 02-12-04

VHT FACILITY FILE NUMBER: _____

PERMIT #: _____

REGION: M

INSPECTION DATE: Nov. 20. 92

INCIDENT/CASE NUMBER: _____

INSPECTION TYPE: GEN/LB

RESPONSIBLE AGENCY CODE: NJDEPE

INSPECTOR'S NAME: BOLESLAW CZACHOR

INSPECTOR'S AGENCY: DFWE

INSPECTOR'S BUREAU: M.F.O.

EPA ID NUMBER: NJD042793976

ADDRESS: 932 PATERSON PLANK RD
E. RUTHERFORD, NJ. 07073

LOT: _____ BLOCK: _____

COUNTY: BERGEN

FACILITY PERSONNEL: JOHN L. SIDWA
- BRANCH MGR

TELEPHONE #: 201-933-2400

OTHER STATE/EPA PERSONNEL: _____

REPORT PREPARED BY: B. Czachor

REVIEWED BY: A Sterling

DATE OF REVIEW: 11/30/92

REVISION: 3
01/88

TIME IN: 1045

TIME OUT: 1305

PHOTOS TAKEN (__) YES (X) NO IF YES, HOW MANY? N/A

SAMPLE TAKEN (__) YES (X) NO NO. OF SAMPLES N/A

NJDEP SAMPLE ID#: N/A

MANIFESTS REVIEWED (X) YES (__) NO

Number of manifests in compliance 9

Number of manifests not in compliance —

List manifest document numbers of those manifests not in compliance.

SUMMARY OF FINDINGS

FACILITY DESCRIPTION AND OPERATIONS

The MATHESON GAS PRODUCTS Inc, located at 932 PATERSON PLANK Rd, E. RUTHERFORD, NJ. with the EPA assigned ID # NJD042793976 is a specialty gas products supplier. It should be noted that no manufacturing or generation of gases takes a place at the facility. The company operations on site are limited to repackaging of gases and making a mixtures of gases as per customers specification. No haz. waste is generated in gas handling operations.

The haz. waste generated on site is coming from the following sources:

→ a gas scrubbers where the arsine and phosfine gas are run from the cylinder cleaning operations. The scrubber media is activated carbon and the waste from the scrubbers is classified as D004.

→ the second source of waste classified as X726- is removal of spent oils from the compressors, vacuum pumps and other equipment.

- then there is some small quantities.

SUMMARY OF FINDINGS

FACILITY DESCRIPTION AND OPERATIONS

of haz. waste generated in laboratory operation
It is classified as lab pack and disposed
of with the AETC.
Until July there is D002 waste, which
is process water (mixture of H_2O and NaOH
used for basic neutralization of residual
gases in empty cylinders. The D002
waste is disposed off with the DuPont,
Deepwater, N.J.
ALL haz. waste is handled in 55 GAL
containers and removed off site
within 90 days storage time, except the
process water which is (non-hazardous) and is
removed directly
from the storage tank (10,000 GAL capacity).
Company also generates a noncontact
cooling water, which is discharged to
local sewerage authority under the
discharge permit # NJ0002721. Also
the has 12 air pollution sources registered
and permitted by the BAP.
In addition be that the company is
registered with and regulated under the
TCPA - Bureau of Release Prevention, Tel. 609
-633-7289.

-B-

Describe the activities that result in the generation of hazardous waste.

- scrubber media which is saturated carbon w/ D004.
- the waste oils for the maintenance of equipment
- lab packs
- waste process water (caustic).

Identify the hazardous waste located on site, and estimate the approximate quantities of each. (Identify Waste Codes)

NONE.

		YES	NO	N/A
7:26-7.4 (a)4vii	Did the generator describe all N.O.S. wastes in Section J?	X	—	—
7:26-7.4(a)ix	When shipping hazardous waste to a waste reuse facility does the generator enter the waste reuse facility I.D. # in the section G of the Uniform Manifest?	—	—	X
7:26-7.4(a)5	Before allowing the manifested waste to leave the generator's property, did the generator:	X	—	—
7:26-7.4(a)5i	Sign the manifest certification by hand?	X	—	—
7:26-7.4(a)5ii	Obtain the handwritten signature of the initial transporter and date of acceptance on the manifest?	X	—	—
7:26-7.4(a)5iii	Retain one copy and forward one copy to the state of origin and one copy to the state of destination?	X	—	—
7:26-7.4(a)5iv	Provide the required numbers of copies for: generator, each hauler, owner/operator of the designated facility, as well as one copy returned to the generator by the facility owner/operator?	X	—	—
7:26-7.4(a)5v	Give the remaining copies of the manifest form to the hauler?	X	—	—
7.26-7.4(f)	Has the generator maintained facility records for three (3) years? (Manifest(s), exception report(s) and waste analysis)	X	—	—
7:26-7.4(h)1	Has the generator received signed copies of portion B (from the TSD facility) of all manifests for waste shipped off site more than 35 days ago?	X	—	—
7:26-7.4(h)1	If not: Did the generator contact the hauler and/or the owner or operator of the TSDF and the NJDEP at (609) 292-8341 to inform the NJDEP of the situation?	—	—	X
7:26-7.4(h)2	Have exception reports been submitted to the Department covering any of these shipments made more than 45 days ago?	—	—	X

7:26-9.3

Accumulation Time

How is waste accumulated on site?

(X) Containers
( ) Tanks (greater than 90 days)
(complete HWMF (TSD) Facility Checklist)
( ) Tanks (less than 90 days)
( ) Above ground
( ) Below ground
( ) Surface impoundments
(complete HWMF (TSD) Facility Checklist)
( ) Piles (complete HWMF checklist)

		YES	NO	N/A
7:26-9.3(a)1	Is waste accumulated for more than 90 days?	—	X	—

STOP HERE IF THE HAZARDOUS WASTE MANAGEMENT FACILITY (TSF) CHECKLIST IS FILLED OUT.

Short term accumulation standards for generators who accumulate waste in containers and tanks for 90 days or less:

Containers		YES	NO	N/A
7:26-9.4	What type of containers are used for storage. Describe size, type, quantity, and nature of waste (e.g. 12 fifty-five gallon drums of waste acetone). NONE IN STORAGE	—	—	—
7:26-9.4(d)2	Do the containers appear to be in good condition, not in danger of leaking?	—	—	—
	If no, describe the problem (include number of containers involved.)			
7:26-9.4(d)4i	Are all containers securely closed except those in use?	—	—	—
7:26-9.4(d)4iii	Do the containers appear to be properly handled or stored in a manner which will minimize the risk of the container rupturing and/or leaking?	—	—	—
7:26-9.4(d)4iv	Are containerized hazardous wastes segregated in storage by waste type?	—	—	—
7:26-9.4(d)4v	Is every container arranged so that its identification label is visible?	—	—	—
7:26-9.4(d)5	Is the container storage area inspected at least daily?	—	—	—
7:26-9.4(d)6	Are containers holding ignitable and reactive wastes located at least 50 (fifty) feet (15 meters) from the facilities property line?	—	—	—
7:26-7.2(a)	Did the owner/operator conspicuously label appropriate manifest number on all hazardous waste containers that are intended for shipment?	—	—	—
7:26-9.3(a)3	Is each container clearly dated with each period of accumulation so as to be visible for inspection?	—	—	—

		YES	NO	N/A
7:26-7.2(b)	Did the owner/operator insure that all containers used to transport hazardous waste off site are in conformance with applicable DOT regulations? (49CFR 171, 179)	—	—	X
Tanks (Less than 90 day storage)				
7:26-9.3(b)	Does the generator accumulate hazardous waste on-site in an above ground tank?	—	—	—
	If yes, describe the tank(s): 1) Capacity _____ 2) Shell thickness _____ 3) Material Construction _____ 4) Age of tank _____			
7:26-9.3(b)	Does the generator have written approval from the Department to store hazardous waste(s) in this tank(s) for ninety days or less?	—	—	—
7:26-9.3(b)1	Does each tank(s) have sufficient shell thickness to ensure the tank will not collapse or rupture as specified by the Department?	—	—	—
7:26-9.3(b)4	Is the tank(s) designed so that at least 99% of the volume of each of the tanks can be emptied by direct pumping or drainage?	—	—	—
7:26-9.3(b)5	Is each tank(s) rendered empty (1% or less remaining) every 90 days or less?	—	—	—
7:26-9.3(b)6	Are all wastes removed from the tank(s) shipped off-site to an authorized facility or placed in an on-site, authorized facility?	—	—	—
7:26-9.3(b)8	If part of the tank is below grade, is it constructed to allow visual inspection of the tank, comparable to a totally above-ground tank and is is secondary containment provided for the below grade part?	—	—	—
7:26-10.5(c)1	Are materials which are incompatible with the material of construction of the tank(s) placed in the tank(s)?	—	—	—
7:26-10.5(c)2	Does the generator use appropriate controls and practices to prevent overfilling?	—	—	—

		YES	NO	N/A
7:26-10.5(c)2ii	For uncovered tanks, is there sufficient (two feet or acceptable documentation) freeboard to prevent overtopping by wave or wind action by or precipitation?			
7:26-9.3(b)3	Does each tank(s) or storage tank area have secondary containment?			
7:26-10.5(d)1	Is the containment system capable of collecting and holding spills, leaks, and precipitation?			
7:26-10.5(d)1i	Is the base underlying the tank(s) free from cracks, gaps, and sufficiently impervious to contain leaks, spills, and accumulated rainfall until the collected material is detected and removed?			
7.26-10.5(d)ii	Does the containment system consist of material compatible with the wastes being stored?			
7:26010.5(d)iii	Is the containment system sloped or otherwise designed to efficiently drain and remove liquids resulting from leaks, spills and precipitation?			
7:26-10.5(d)iii	Is the tank protected from contact with accumulated liquids?			
7:26-10.5(d)iv	Does the containment system have sufficient capacity to contain ten percent of the volume of all tanks or the volume of the largest tanks whichever is greater?			
7:26-10.5(d)2	Is run-on into the containment area prevented?			
	If not, explain.			
7:26-10.5(d)3	Is precipitation removed from the pump or collection area in a timely manner to prevent blockage or overflow of the collection system?			
7:26-10.5(d)4	Is spilled or leaked waste removed from the pump or collection area daily?			

		YES	NO	N/A
7:26-10.5(d)4i	If the collected material is hazardous waste under NJAC 7:26-8, it is managed as a hazardous waste in accordance with all applicable requirements of this chapter?			X
7:26-9.4(g)4	**Personnel Training** Have facility personnel successfully completed a program of classroom instruction or on-the-job training since six months after the date of their employment or assignment to the facility or to a new position at the facility?	X		
7:26-9.4(g)5	Has facility personnel taken part in an annual review of initial training?	X		
7:26-9.4(g)2	Is the program directed by a person trained in hazardous waste management procedures and does it include instruction which teaches facility personnel hazardous waste management procedures (including contingency plan to implementation) relevant to the positions in which they are employed?	X		
	Is there written documentation of the following:			
7:26-9.4(g)6i	Job title for each position at the facility related to hazardous waste management, and the name of the employee filling each job?	X		
7:26-9.4(g)6ii	A written job description for each position related to hazardous waste management?	X		
7:26-9.4(g)6iii	A written job description on the type and amount of both introductory and continuing training that has been and will be given to personnel in jobs related to hazardous waste management?	X		
7:26-9.4(g)6iv	Documentation of actual training or experience received by personnel?	X		
7:26-9.4(g)7	Are training records kept on all current employees until closure of the facility and training records kept on former employees for three years from their last date of employment?	X		

		YES	NO	N/A
7:26-9.6	Preparedness and prevention			
	Does the facility comply with preparedness and prevention requirements including maintaining:			
7:26-96(b)1	An internal communications or alarm system?	X	—	—
7:26-9.6(b)2	A telephone or other device to summon emergency assistance from local authorities?	X	—	—
7:26-9.6(b)3	Portable fire equipment, spill control equipment, and decontamination equipment?	X	—	—
7:26-9.6(b)4	Water at adequate volume and pressure to supply water hose streams, or foam producing equipment, or automatic sprinklers, or water spray system?	X	—	—
7:26-9.6(c)	Is equipment tested and maintained?	X	—	—
7:26-9.6(d)1	Is there immediate access to communications or alarm systems during systems during handling of hazardous waste?	X	—	—
7:26-9.6(e)	Adequate aisle space (18") to allow unobstructed movement of personnel fire protection equipment, spill control equipment and decontamination equipment?	X	—	—
	If no, please explain.			
	In your opinion, do the types of waste on site require all of the above procedures, or are some not required?	X	—	—
	Explain.			
7:26-9.6(f)	Has the facility made the following arrangements, as appropriate for the type waste handled on site:	X	—	—
7:26-9.6(f)1	Familiarize police, fire departments and emergency response teams with the layout of the facility and hazardous waste handled - associated hazardous places where facility personnel would normally be working, entrances and roads inside facility and possible evacuation routes.	X	—	—

		YES	NO	N/A
7:26-9.6(f)2	Where more than one police and fire department might respond to an emergency, is there an agreement designating primary emergency authority to a specific police or fire department, and agreements with any others to provide support to the primary emergency authority?	—	—	X
7:26-9.6(f)3	Agreements with emergency response contractors, and equipment supplies? IND. MUTUAL AID CONSTR.	X	—	—
7:26-9.6(f)4	Arrangements to familiarize local hospitals with the properties of hazardous waste handled at the facility and the types of injuries or illnesses which could result from fires, explosion, or discharges at the facility?	X	—	—
7:26-9.6(f)5	Arrangement with local fire departments to inspect the facility on a regular basis with at least two (2) inspections annually?	X	—	—
7:26-9.6(f)6	If authorities identified in (f)1 through 5, above decline to enter into such arrangements, has the owner, or operator documented this refusal in the operating record.	—	—	X
7:26-9.4(g)8	Are semi-annual drills conducted involving all employees and appropriate local authorities to test emergency response capabilities at the facility in accordance with the contingency plan and emergency procedures development pursuant to NJAC 7.26-9.7?	X	—	—
7:26-9.4(g)8i	If no, did the owner or operator petition the Department for an exemption from the semi annual drills requirement?	—	—	X
7:26-9.4(g)8ii	Did the owner or operator petition the Department for an exemption excluding some or all local officials in the semi annual drill requirements?	—	—	X
	If yes, did the owner operator provide those specific local officials with written approval of the exemption?	—	—	X

		YES	NO	N/A
7:26-9.7	Contingency Plan and Emergency Procedures			
7:26-9.7(a)	Does the facility have a written contingency plan for emergency procedures designed to deal with fires, explosions, hazards to human health or environment, or any unplanned sudden or non-sudden release of hazardous waste or hazardous waste constituents into air, soil or surface water?	X		
7:26-9.7(b)	Are provisions of the plan carried out immediately whenever there is a fire, explosion, or release of hazardous waste or hazardous waste constituents which could threaten human health or the environment?	X		
7:26-9.7(c)	Does the contingency plan describes the actions facility personnel shall take in response to fires, explosions, or any unplanned sudden or non-sudden release of hazardous waste or hazardous waste constituents to air, soil, or surface water at the facility?	X		
7:26-9.7(d)	Did the owner or operator prepare a Spill Prevention, Control, and Countermeasures (SPCC) Plan in accordance with 40 CFR 112 or 300 or a Discharge Prevention Containment and Countermeasure (DPCC) Plan in accordance with N.J.A.C. 7:1E-4.1 et seq.			X
	If yes, did the owner or operator amend that plan to incorporate hazardous waste management provisions that are sufficient to comply with the requirements of this section?			X
7:26-9.7(e)	Does the plan describe arrangements agreed to by local police departments, fire departments, hospitals, contractors, and State and local emergency response teams to coordinate emergency services?	X		

		YES	NO	N/A
7:26-9.7(f)	Does the plan list names, addresses, and phone numbers (office and home) of all persons qualified to act as emergency coordinator and is this list kept up to date? Where more than one person is listed, one shall be names as primary emergency coordinator and others shall be listed in the order in which they will assume responsibility as alternates?	X		
7:26-9.7(g)	Does the plan include a list of all emergency equipment at the facility (such as fire extinguishing systems, spill control equipment, communications and alarm systems (internal and external) and decontamination equipment), where this equipment is required? Is the list up-to-date? In addition, does the plan include the location and physical description of each item on the list, and a brief outline of its capabilities?	X		
7:26-9.7(h)	Does the plan include an evacuation procedure for facility personnel where there is a possibility that evacuation could be necessary? Does this plan describe signal(s) to be used to begin evacuation, evacuation routes, and alternative evacuation routes (in case where the primary routed could be blocked by releases of hazardous waste or fires)?	X		
7:26-9.7(i)	Is a copy of the contingency plan and all revisions to the plan:			
	1. Maintained at the facility;	X		
	2. Has the contingency plan been submitted to local authorities (police fire departments, emergency response teams)?	X		
7:26-9.7(k)	Is there an employee on site or on call at all times with the responsibility of coordinating, all emergency response measures?	X		

RCRA LAND DISPOSAL RESTRICTIONS INSPECTION

I. General Information

Facility: MATHESON GAS PRODUCTS

U.S. EPA ID No.: NJD042793976

Street: 932 PATERSON PLANK RD

City: E. RUTHERFORD State: NJ Zip: 07073

Telephone: 201-933-2400

Inspection Date: 11/2/92 Time: 1045 (am/pm)

Weather Conditions: clear

	Name	Agency/Title	Telephone
Inspectors:	B. COACHER,	NJDEPE,	201-669-3900
Facility Representatives:	John L. SIDWA,	BRANCH MGR	

See Appendix B to determine which of the following LDR waste categories the facility manages:

	Generate	Transport	Treat	Store	Dispose
F001-F005 Solvents	X				
F020-F023 and F026-F028					
California List*					
First Third [40 CFR 268.10]					
Second Third [40 CFR 268.11]					
Third Third [40 CFR 268.12]	X				

* See Appendix A

INSPECTION SUMMARY

Processes That Generate LDR Wastes:

The LDR wastes are generated mainly in scrubbers where activated carbon is used to contain an arsine and phosphine gases, and D004 is generated, the neutralization proces of acidic gases generates D002 and in the past an F005 has generated in cylinder painting operations. The F005 has been discontinued since to switch to the water based paints, in 1990.

LDR Waste Management:

ALL the waste is handled in 55 GAL containers and removed within a 90 days storag time.

Summary:

This inspection revealed that haz. waste is managed and handled on site adequatly.

Signature: B. Crabtree

RCRA LAND DISPOSAL RESTRICTIONS INSPECTION

II. WASTE IDENTIFICATION

A. **List waste codes which the facility handles in each of the following LDR categories*:**

1. F001 through F005 spent solvents: F005,
2. F020-F023 and F026-F028 dioxin-containing wastes: _____
3. California List Wastes (See Appendix A): _____
4. First Third Wastes [40 CFR 268.10]: _____
5. Second Third Wastes [40 CFR 268.11]: _____
6. Third Third Wastes [40 CFR 268.12]**: D004, D002,

*See Appendix B.
** Note: Effective 09/25/90, large quantity generators and TSDs are required to use the toxicity characteristic leaching procedure (TCLP) instead of the extraction procedure (EP) for determining the toxicity characteristic (TC). Small quantity generators must comply with this new requirement by 03/29/91. Wastes which exhibit TC, but do not exhibit EP, will be considered "newly identified" wastes. They will be regulated under 40 CFR Part 268 only after they are evaluated by U.S. EPA, even if they are characteristic for a constituent previously covered under the EP toxicity characteristic [55 FR 22531].

B. **Waste Code Determination**

1. Have all wastes been correctly identified for purposes of compliance with 40 CFR Part 268?*

   Yes X No___

   If no, list below:

Assigned Classification	Correct Classification
_____	_____
_____	_____
_____	_____
_____	_____

*Areas of concern include: California List/waste categories with more stringent treatment standards; listed/characteristic; multi-source/single-source leachate; P and U waste codes/F and K wastes; and waste code carry through principle.

Comments: _____

2. Have both the listed and characteristic waste code been assigned, where a listed waste exhibits a characteristic? [40 CFR 268.9(a)]

Yes X No ___ NA ___

Comments _____

3. Has multi-source leachate been assigned the F039 waste code?* [40 CFR 261.31]

Yes ___ No ___ NA X

*Leachate derived exclusively from F020-F023 and/or F026-F028 dioxin wastes retains the individual waste codes.

If yes, was single-source leachate combined to form multi-source leachate? [55 FR 22623]

Yes ___ No ___

Comments _____

C. Does the facility handle the following wastes (national capacity variances)?

1. F001-F005 contaminated soil and debris resulting from a CERCLA response action or a RCRA corrective action (expires - 11/08/90). [40 CFR 268.30(c)]

Yes ___ No X List _____

2. Dioxin contaminated soil and debris resulting from a CERCLA response action or a RCRA corrective action (expires - 11/08/90). [40 CFR 268.31(b)]

Yes ___ No X List _____

3. California list contaminated soil and debris resulting from a CERCLA response action or a RCRA corrective action (expires - 11/08/90). [40 CFR 268.32(d)(2)]

Yes ___ No X List _____

4. K048-K052 petroleum wastes (nonwastewaters; expires - 11/08/90). [40 CFR 268.35 (b)]

Yes ___ No X List _____

5. Soil and debris contaminated with wastes that had treatment standards based on incineration set in the Second Third rule - F010, F024, K009, K010, K011, K013, K014, K023, K027, K028, K029, K038, K039, K040, K043, K093, K094, K095, K096, K113, K114, K115, K116, P039, P040, P041, P043, P044, P062, P071, P085, P089, P094, P097, P109, P111, U028, U058, U069, U087, U088, U102, U107, U190, U221, U223, U235 (expires - 06/08/91). [40 CFR 268.34(d)]

Yes ___ No X List _____

6. Soil and debris contaminated with wastes that had treatment standards set in the Third Third rule based on incineration, mercury retorting, or vitrification. See Appendix A; (expires - 05/08/92). [40 CFR 268.35(e)]

Yes ___ No X List _____

7. The following nonwastewaters - F039, K031, K084, K101, K102, K106, P010, P011, P012, P036, P038, P065, P087, P092, U136, U151. (expires -05/08/92). [40 CFR 268.35(c)]

Yes ___ No X List _____

8. The following wastes identified as hazardous based on a characteristic alone: D004 (nonwastewaters), D008 (lead materials stored before secondary smelting), D009 (nonwastewaters) (expires - 05/08/92). [40 CFR 268.35(c)]

Yes ___ No X List _____

9. Inorganic solid debris as defined in 40 CFR 268.2(g)*; includes chromium refactory bricks carrying EPA Hazardous Waste Nos. K048-K052 (expires - 05/08/92). [40 CFR 268.35(c)]

Yes ___ No X List _____

*Note: Incorrect reference [40 CFR 268.2(a)(7)] in Third Third rule.

10. RCRA hazardous wastes that contain naturally occurring radioactive materials (expires - 05/08/92). [40 CFR 268.35(c)]

Yes ___ No X List _____

11. Wastes listed in 40 CFR 268.10, 268.11, and 268.12 that are mixed radioactive/hazardous wastes (expires - 05/08/92)*. [40 CFR 268.35(d)]

Yes ___ No X List _____

*Note: 40 CFR 268.10 and 268.11 wastes incorrectly omitted from this variance in the Third Third rule.

RCRA LAND DISPOSAL RESTRICTION INSPECTION

III. GENERATOR REQUIREMENTS

A. Treatability Group/Treatment Standard Identification*

*Note: This information is generally available on LDR notifications. If not, waste profile data and other documentation should be checked.

1. F001-F005 Spent Solvent Wastes: Does the generator correctly determine the appropriate treatability group/treatment standard for each F-solvent?

   Yes X No ___ NA ___

   If available, list each waste code and check the correct treatability group.

Waste Code	Wastewater*	Nonwastewater
F005		X

*Less than 1% by weight total organic carbon (TOC), or less than 1% by weight total F001-F005 solvent constituents listed in 40 CFR 268.41, Table CCWE. [40 CFR 268.2(f)(1)]

Comments _____

2. F020-F023 and F026-F028 Dioxin Wastes: Does the generator correctly determine the appropriate treatability group/treatment standard for each dioxin waste?

   Yes ___ No ___ NA X

   If yes, list each waste code and check the correct treatability group.

Waste Code	Wastewater*	Nonwastewater

Comments _____

*Less than 1% TOC by weight and less than 1% total suspended solids (TSS) by weight. [40 CFR 268.2(f)]

3. First, Second, and Third Third Wastes:

   a. Does the generator correctly determine the appropriate treatability group/treatment standard for each waste?

      Yes X No ___ NA ___

If available, list each waste code and check the correct treatability group:

Waste Code	Subcategory	Wastewater*	Nonwastewater
D004			X
D002			X

* Less than 1% TOC by weight and less than 1% total suspended solids (TSS) with the following exceptions: K011, K013, and K014 wastewaters - less than 5% by weight TOC and less than 1% by weight TSS; K103 and K104 wastewaters - less than 4% by weight TOC and less than 1% by weight TSS. [40 CFR 268.2(f)(2) and (3)]

Comments_____

b. Do the assigned treatment standards for listed wastes cover constituents that may cause the waste to exhibit any characteristics? [40 CFR 268.9 (b)]

Yes X No ___ NA ___

c. Does the generator specify alternative treatment standards for lab packs?*

Yes ___ No X NA ___

*Use of the alternative treatment standards is not required. [55 FR 22629]

If yes, do lab packs only contain the following wastes?* [40 CFR 268.42(c)(2)]

___ Organometallics: 40 Part 268, Appendix IV constituents
___ Organics: 40 CFR Part 268, Appendix V constituents

*Unregulated wastes and hazardous wastes which meet treatment standards may be comingled in the appropriate Appendix IV and V lab pack. [55 FR 22629]

d. Does the generator specify alternative treatment standards for F039 multi-source leachate?*

Yes ___ No ___ NA X

*Use of the alternative treatment standards is required. [55 FR 22619]

4. California List Wastes: Has the generator correctly identified the treatability group and treatment standard/prohibition level for the following wastes? [55 FR 22675]

a. Liquid hazardous wastes containing PCBs ≥50 ppm

Yes ___ No ___ NA X

If yes, check the appropriate treatability group:

___ 50 to 500 ppm PCBs
___ ≥500 ppm PCBs

b. Listed or characteristic wastes containing ≥1,000 mg/l (liquids) or mg/kg (non-liquids) HOCs, which are not listed or characterized by the HOC content

Yes ___ No ___ NA X

If yes, check the appropriate treatability group:

___ Dilute HOC wastewater (1,000 mg/l to 10,000 mg/l HOCs)
___ All other HOCs greater than or equal to the prohibition level of 1,000 mg/l (liquids) or mg/kg (non-liquids)

c. Liquid hazardous wastes that exhibit a characteristic and also contain ≥ 134 mg/l nickel and/or ≥130 mg/l thallium

Yes ___ No ___ NA X

5. National Capacity Variance Wastes: Have all applicable California List prohibitions been identified for wastes covered under national capacity variances? (See Appendix A.)

Yes ___ No ___ NA X

If a wastestream contains a mixture of wastes, and a variance only applies to some of the waste codes, has the generator identified all applicable treatment standards and California List prohibitions? (See Appendix A.)

Yes ___ No ___ NA X

If California List prohibitions apply to wastestreams managed by the generator, complete the following table for each waste code, noting the date on which relevant national capacity variances expire.

Waste Code	Cal List Applicability	Expiration Date
____	_____	__/__/__
____	_____	__/__/__
____	_____	__/__/__

Comments_____

6. Treatment standards expressed as required technologies: Has the generator specified an alternative method to that required in 40 CFR 268.42?

Yes ___ No X NA ___

If yes, list the waste code, the technology specified in 40 CFR 268.42, the alternative method, and documentation of approval. [40 CFR 268.42(b)]

Waste Code	Required Technology	Alternative Method	Approval
____	_____	_____	_____
____	_____	_____	_____
____	_____	_____	_____

Comments_____

7. Does the generator mix restricted wastes with different treatment standards for a constituent of concern?

Yes ___ No X

If yes, did the generator select the most stringent treatment standards? [40 CFR 268.41(b) and 268.43(b)]

Yes ___ No ___

Comments _____

B. **Waste Analysis**

1. Does the generator determine whether restricted wastes exceed treatment standards/prohibition levels at the point of generation?* [268.7(a)]

Yes ___ No X

*Note: This determination may be made at the point of disposal if the waste only has a prohibition level in effect.

If no, does the generator ship all restricted wastes as not meeting treatment standards?

Yes X No ___

Comments _____

2. Which of the following analytical methods does the generator employ?*

*Note: A "No" answer to applicable questions b. through d. does not necessarily constitute a violation. However, knowledge of waste is rarely adequate if a generator certifies that treatment standard criteria have been met.

a. Knowledge of waste:

Yes X No ___

If yes, list the wastes for which applied knowledge was used and describe the basis of determination. Attach documentation. [40 CFR 268.7(a)(5)]

MSDS, haz. waste manifests, GEN. ANNUAL report

b. TCLP*: Are wastes with treatment standards specified in 40 CFR 268.41 analyzed using TCLP?** (BDAT*** = stabilization/immobilization technology)

Yes X No ___ NA ___

*TCLP = Toxicity Characteristic Leaching Procedure (40 CFR Part 268, Appendix I, EPA Test Method 1311)
**See Appendix C for exceptions.
***BDAT = best demonstrated available technology. See Appendix A.

If yes, list the wastes for which TCLP was used and provide the date of last test, the frequency of testing, and note any problems. Attach test results. [40 CFR 268.7(a)(5)]

D004, D012, are checked on annual basis.

c. Total constituent analysis: Are wastes with treatment standards specified in 268.43 analyzed using total constituent analysis?* (BDAT = destruction/removal technology)

Yes ___ No X NA ___

*See Appendix C for exceptions.

If yes, list the wastes for which total constituent analysis was used and provide the date of last test, the frequency of testing, and note any problems. Attach test results. [40 CFR 268.7(a)(5)]

d. PFLT*: Was PFLT used to determine if California List constituents were contained in *liquid* hazardous waste?

Yes ___ No ___ NA X

*PFLT = Paint Filter Liquids Test [Test Method 9095, EPA Publication No. SW-846]

If yes, list the wastes for which PFLT was used and provide the date of last test, the frequency of testing, and note any problems. Attach test results. [40 CFR 268.7 (a)(5)]

3. Does the generator treat restricted wastes in 90-day tanks or containers regulated under 40 CFR 262.34 (permissible in some states)?

Yes ___ No X (If No, go to 4.)

Does the generator treat the wastes to meet appropriate treatment standards/prohibition levels?

Yes ___ No ___

If yes, has the generator prepared a waste analysis plan detailing the frequency of testing to be conducted? 40 CFR 268.7(a)(4)]

Yes ___ No ___ (If No, go to 4.)

Does the plan fulfill the following? [40 CFR 268.7(a)(4)(i)]

___ Based on a detailed chemical and physical analysis of a representative sample
___ Contains information necessary to treat the wastes in accordance with 40 CFR Part 268 requirements

Has the plan been filed with the Regional Administrator (return receipt, Federal Express slip, etc. required for verification)? [40 CFR 268.7(a)(4)(ii)]

Yes ___ No ___

Comments _____

4. Dilution Prohibition [40 CFR 268.3]:

a. Does the generator mix prohibited* wastes with different treatment standards?

*See Appendix E for distinction between restricted and prohibited wastes.

Yes ___ No X (If No, go to b.)

List the wastes _____

Are the wastes amenable to the same type of treatment? [55 FR 22666]

Yes ___ No ___

Comments _____

b. Does the generator dilute prohibited wastes to meet treatment standard criteria, or render them non-hazardous? [55 FR 22665-22666]

Yes ___ No X (If No, go to c.)

Check appropriate category:

___ Dilutes to meet treatment standards
___ Dilutes to render waste non-hazardous

Do the wastes fall into the following categories? (Check if appropriate.) [40 CFR 268.3(b)]

___ Managed in treatment systems regulated under the Clean Water Act
___ Non-toxic* characteristic wastes
___ Treatment standard specified in 40 CFR 268.41 or 268.43

*Non-toxic = D001(except high TOC nonwastewaters), D002, and D003(except cyanides and sulfides). [55 FR 22666]

If the wastes do not fall into the above categories, briefly describe the conditions under which they were diluted.

_____

c. Based on an assessment of points a. and b., and any other relevant circumstances, does the generator dilute prohibited wastes as a substitute for adequate treatment? [40 CFR 268.3(a)]

Yes ___ No X

Comments _____

5. F039 Multi-source leachate: Has the generator run an initial analysis for all constituents of concern in 40 CFR 268.41 and 268.43? [55 FR 22620]

Yes ___ No ___ NA X

C. **Management**

1. On-Site Management

a. Are restricted wastes treated (other than in a RCRA exempt unit), stored for greater than 90 (small quantity generator* - 180) days, or disposed on site?

Yes ___ No X

(If yes, the TSD Checklist must also be completed.)

* Small quantity generator = generator of greater than or equal to 100 kg/mo. but less than 1,000 kg/mo. hazardous waste, or less than 1 kg/mo. acutely hazardous waste

Comments_____

b. If the generator treats characteristic wastes in systems regulated under the Clean Water Act, have the following been documented: the determination of restriction, how restricted wastes are managed, and why wastes discharged pursuant to an NPDES permit are not prohibited (if applicable)? [55 FR 22662]

Yes ___ No ___ NA ___

c. If the generator treats characteristic wastes in RCRA exempt units to render them non-hazardous, are the wastes managed as restricted until 40 CFR Part 268 treatment standards are met?* [40 CFR 268.9(d)]

Yes ___ No ___ NA ___

*This applies to both concentration based treatment standards specified in 40 CFR 268.41 and 268.43, and to some 40 CFR 268.42 required methods which result in treatment below the characteristic level. See Appendix D.

2. Off-Site Management: Waste Exceeds Treatment Standards

a. Does the generator ship any waste that exceeds treatment standards /prohibition levels (not subject to a national capacity variance) to an off-site treatment or storage facility?

Yes X No ___ (If No, go to 3.)

Identify waste code(s) and off-site treatment or storage facilities to which wastes are shipped.

Waste Code	Receiving Facility
D004	ACTC, FLANDERS, NJ
D008	CHEMICAL MANAGEMENT, FARMINGDALE, NY.
F005	SK - LINDEN

Does the generator provide a notification to the treatment or storage facility? [40 CFR 268.7(a)(1)]

Yes X No ___ (If No, go to 3.)

If the generator specifies alternative treatment standards for lab packs, is the certification required in 40 CFR 268.7(a)(7) or (8) included with the notification?

Yes X No ___ NA ___

b. Is a notification sent with each waste shipment?

Yes X No ___

If no, is the waste subject to a tolling agreement pursuant to 262.20(e) (small quantity generator only)?

Yes ___ No ___ (If No, go to 3.)

List waste codes and subsequent handler with whom a contractual tolling agreement is held.

Waste Code	Subsequent Handler
_____	_____
_____	_____
_____	_____

Did the small quantity generator provide a notification to the receiving facility with the first waste shipment subject to the tolling agreement? [40 CFR 268.7(a)(9)]

Yes ___ No ___

3. Off-Site Management: Waste Meets Treatment Standards

a. Does the generator ship waste that meets treatment standards/prohibition levels to an off-site disposal facility?

Yes ___ No X (If No, go to 4.)

Identify waste code(s) and off-site disposal facilities:

Waste Code	Receiving Facility
_____	_____
_____	_____
_____	_____

Does the generator provide a notification and a certification to the disposal facility? [40 CFR 268.7(a)(2)(i) and 268.7(a)(2)(ii)]?

Yes ___ No ___ (If No, go to d.)

b. Are a notification and a certification sent with each waste shipment?

Yes ___ No ___

If no, is the waste subject to a tolling agreement pursuant to 262.20(e) (small quantity generator only)?

Yes ___ No ___ (If No, go to c.)

List waste codes and subsequent handler with whom a contractual tolling agreement is held.

Waste Code	Subsequent Handler
_____	_____
_____	_____
_____	_____

Did the small quantity generator provide a notification and a certification to the receiving facility with the first waste shipment subject to the tolling agreement? [40 CFR 268.7(a)(9)]

Yes ___ No ___

c. Are characteristic wastes which have been rendered non-hazardous (in a RCRA exempt unit) shipped to a Subtitle D facility?

Yes ___ No ___ NA ___ (If No or NA, go to 4.)

Complete the following table:

Waste Code	Receiving Facility
_____	_____
_____	_____
_____	_____

Are a notification and a certification for each shipment sent to the Regional Administrator or authorized State? [40 CFR 268.9(d)(1) and 268.7(b)(5)]?

Yes ___ No ___

4. Off-Site Management: Wastes Subject to Variances, Extensions, or Petitions

a. Does the generator ship wastes to a treatment, storage, or disposal facility which are subject to a national capacity variance (40 CFR Part 268, Subpart C), or case-by-case extension (40 CFR 268.5)?

Yes ___ No X (If No, go to 5.)

Complete the following table:

Waste Code	Receiving Facility
_____	_____
_____	_____
_____	_____

Does the generator provide notification to the off-site receiving facility that the waste is not prohibited from land disposal? [40 CFR 268.7(a)(3)]

Yes ___ No ___

b. Is a notification sent with each waste shipment?

Yes ___ No ___

If no, is the waste subject to a tolling agreement pursuant to 40 CFR 262.20(e) (small quantity generator only)?

Yes ___ No ___ (If No, go to 5.)

List waste codes and subsequent handler with whom a contractual tolling agreement is held.

Waste Code	Subsequent Handler
___	_____
___	_____
___	_____

Did the small quantity generator provide a notification to the receiving facility with the first waste shipment subject to the tolling agreement? [40 CFR 268.7(a)(9)]

Yes ___ No ___

5. Records Retention

Does the generator retain on site copies of all notifications, certifications, and other relevant documents for a period of 5 years? [40 CFR 268.7(a)(6)]

Yes X No ___

Are copies of relevant tolling argreements, along with the LDR notification and/or certification, kept on site for at least 3 years after expiration or termination of the agreement? [40 CFR 268.9]

Yes ___ No ___ NA X

Do LDR documents reflect proper management of wastes previously covered under expired national capacity variances, case by case extensions and the soft hammer provision*?

Yes ___ No ___ NA X

*See Appendix B. Note that the soft hammer provision expired as of 05/08/90. Soft hammer wastes which had treatment standards established in the Third Third rule were granted a minimum 90-day national capacity variance to 08/08/90.

Comments _____

D. Treatment Using RCRA 40 CFR Parts 264 and 265 Exempt Units or Processes

1. Are restricted wastes treated in RCRA exempt units (i.e., boilers, furnaces, distillation units, wastewater treatment tanks, elementary neutralization, etc.)?

Yes ___ No X (If No, do not complete this section.)

List types of waste treatment units and processes:

Waste Code	Type of Treatment	Treatment Units and Processes

2. Are treatment residuals generated from these units?

Yes ___ No ___

Comments _____

3. Are residuals further treated, stored for greater than 90/180 days, or disposed on site?

Yes ___ No ___ NA ___

(If yes, the TSD checklist must also be completed.)

E. Additional Comments, Concerns, or Issues Not Addressed in the Checklist:

TOXICITY CHARACTERISTIC ("TC") INSPECTION CHECKLIST

1. Has the handler tested all its solid waste streams using the TCLP?

   Yes X No_____

   a) If no, are there any waste streams which should be tested.

   Explain _____

   b) If the handler is a TSD, has the owner/operator revised its waste analysis plan to incorporate the new TCLP requirements?

   Yes_____ No_____ N/A

2. Does the handler generate waste exceeding the regulatory level for any constituent listed in Table I-TC?

   Yes X No_____

   If no this checklist need not be completed.

3. Was the handlers waste(s) considered a federal hazardous waste prior to the promulgation of the new TCLP requirement?

   Yes X No_____

   If No, proceed to question number 4. If yes, answer questions 3a), 3b) and 3c) and then stop.

   a) Have both the listed and characteristic waste code been assigned, were a listed waste exhibits a characteristic for which the waste is not listed?

   Yes X No_____

   Comments _____

   b) Does the handler determine and list on its manifests all of it's waste(s) TCLP characteristics?

   Yes X No_____

   Comments _____

c) If the generator is also a TSD, has the owner or operator submitted a revised Part A permit application or if permitted a permit modification request indicating the new hazardous constituent(s) found in their waste(s)?

Yes_____ No_____ N/A

4. Is the waste managed as a hazardous waste?

Yes X No_____

If No, this is a high priority violation. Be sure to obtain a detailed description of the wastes final disposition.

Comments _____

a) If the generator is also a TSD, has the owner or operator submitted a revised Part A permit application or if permitted a permit modification request for the previously unregulated waste or hazardous waste unit which has become subject to hazardous waste regulation as a result of the new TC Rule?

Yes_____ No_____

NOTE: The inspector should bear in mind that any waste stream, unit or handler newly regulated on account of the change in the analytical procedures associated with the Toxicity Characteristic may now be subject to all the applicable requirements of N.J.A.C. 7:26-1, 7 - 12 and 40 C.F.R. Parts 260 - 270. All applicable current checklists should be used to determine compliance status.

EFFECTIVE DATES FOR COMPLIANCE WITH TC REQUIREMENTS

Generators of ≥1,000 kg/mo. of hazardous waste	9/25/90
Generators of <1,000 kg/mo. of hazardous waste	3/29/91

ADDITIONAL COMMENTS: _____

LIST OF NEW JERSEY C-CODE WASTE WHICH POTENTIALLY EXHIBIT THE NEW TOXICITY CHARACTERISTIC

ORGANICS

C133 Benzene	C292 Hexachloroethane
C162 Chlordane	C319 Methyl Ethyl Ketone
C170 Chlorobenzene	C340 Nitrobenzene
C176 Chloroform	C375 Pentachlorophenol
C468 Cresol	C396 Pyridine
C216 1,2-Dichloroethane	C415 Tetrachloroethylene
C219 1,1-Dichloroethylene	C442 Trichloroethylene
C260 2,4-Dinitrotoluene	C444 2,4,5-Trichlorophenol
C286 Heptachlor	C445 2,4,6-Trichlorophenol
C288 Hexachlorobenzene	C459 Vinyl Chloride

note: Some X700 series waste which formerly were not regulated under the federal program may now be subject to RCRA as a characteristic hazardous waste (i.e. D018 - Benzene.)

METALS AND PESTICIDES

Arsenic: C123, C124, C125, C126.

Barium: C129, C130.

Cadmium: C157.

Chromium: C184.

Lead: C306, C307, C308, C309.

Mercury: C313, C479, C380.

Selenium: C400, C401, C402.

Silver: C404, C405.

Endrin: C270.

Toxaphene: C437.

2,4-D: C223.

Silvex: C447.

note: Since the Toxicity Characteristic Leaching Procedure ("TCLP") is a more stringent analytical method than the Extraction Procedure ("EP"), wastes which contain toxic metals and pesticides which were not subject to RCRA regulation as hazardous waste when tested via the EP (i.e. the above listed C-code wastes) could now be a hazardous waste under the TCLP.

TABLE I-TC

TC Constituents and Their Regulatory Levels

Newly Added Constituents

Constituent	Regulatory Level (mg/l)	Constituent	Regulatory Level (mg/l)
D018 Benzene*	0.5	D032 Hexachlorobenzene	0.13
D019 Carbon Tetrachloride*	0.5	D033 Hexachloro-1, 3-Butadiene	0.5
D020 Chlordane	0.03	D034 Hexachloroethane	3.0
D021 Chlorobenzene	100.0	D035 Methyl Ethyl Ketone	200.0
D022 Chloroform	6.0	D036 Nitrobenzene	2.0
D023 O-Cresol	200.0	D037 Pentachlorophenol	100.0**
D024 M-Cresol	200.0	D038 Pyridine	5.0
D025 P-Cresol	200.0	D039 Tetrachloroethylene*	0.7
D027 1, 4-Dichlorobenzene*	7.5	D040 Trichloroethylene*	0.5
D028 1, 2-Dichloroethane*	0.5	D041 2, 4, 5-Trichlorophenol	400.0
D029 1, 1-Dichloroethylene*	0.7	D042 2, 4, 6-Trichlorophenol	2.0
D030 2, 4-Dinitrotoluene	0.13	D043 Vinyl Chloride*	0.2
D031 Heptachlor	0.008	D026 Cresol	200.0

EP Constituents (Being Retained at Current Levels)

Constituent	Regulatory Level (mg/l)	Constituent	Regulatory Level (mg/l)
D004 Arsenic*	5.0	D011 Silver*	5.0
D005 Barium*	100.0	D012 Endrin*	0.02
D006 Cadmium*	1.0	D013 Lindane*	0.4
D007 Chromium*	5.0	D014 Methoxychlor*	10.0
D008 Lead*	5.0	D015 Toxaphene*	0.5
D009 Mercury*	0.2	D016 2, 4-D*	10.0
D010 Selenium*	1.0	D017 2, 4, 5-TP (Silvex)*	1.0

* Regulated based on an MCL

**The Agency will propose a new (lower) regulatory level for this constituent, based on the latest toxicity information.

Waste Minimization Checklist

GENERATOR CHECKLIST

MANIFEST

GENERAL 262.20

	YES	NO	N/A
Does the generator, offer for tranportation, hazardous waste for off-site treatment/disposal? If yes, proceed to next question. If no, proceed to 264.75/265.75.	X	—	—
262.23			
Does the generator sign the manifest certification which states;	X	—	—

" If I am a large quantity generator, I have a program in place to reduce the volume and toxicity of the waste generated to the degree I have determined to be economically practical and that I have selected the practical method of treatment, storage, or disposal currently available to me which minimizes the present and future threat to human health and the enviroment; OR, if I am a small quantity generator, I have made a good effort to minimize my waste generation and select the best waste management method that is available to me and that I can afford."

Does the generator have a written Waste Minimization Plan?	X	—	—
If no, is the generator able to describe his plan orally.	X	—	—

COMMENTS:
(Explain in this space the areas that visually show evidence that a program is in place and is being implemented)

The company switched to pointing a gas cylinder with the ~~WASTE~~ WATER based products so that "waste point related materials" has been eliminated.

ANNUAL/BIENNIAL REPORT

262.41

	YES	NO	N/A
- Has the generator submitted Annual (AR) or Biennial reports (BER) to the appropiate regulatory agency?	X	—	—

The inspector should review these reports prior to the inspection (see above), and should try to verify the information in the report during his/her site inspection. The following questions should be addressed during the inspection.

262.56(a)(5)

Does the BER or AR include the efforts undertaken during the year to reduce the volume of toxicity of the wastes generated?	X	—	—
Does the BER or AR include a description of the changes in volume and toxicity of the wastes actually achieved during the year in comparison to previous years?	X	—	—
Do these efforts match the information contained in the generator's written or verbally described waste minimization program.	X	—	—
Is the BER or AR certification signed by the generator or authorized representatives?	X	—	—

TSDF CHECKLIST

The inspector should review a copy of the AR/BER prior to the inspection, and should try to verify the information in the report during his inspection. The following question should be addressed during the inspection.

	YES	NO	N/A
Does the AR/BER include the efforts undertaken during the year to reduce the volume of toxicity of the waste generated?	—	—	—
Does the AR/BER include a description of the changes in volume and toxicity of the wastes actually achieved during the year in comparison to previous years?	—	—	—
Doe these efforts match the information contained in the generator's written or verbally described waste minimization program.			
Is the AR/BER certification signed by the generator or authorized representatives?	—	—	—
264.75/265/75 (h-j) Does the generator treat, store and dispose hazardous waste on site?	—	—	—
If yes to the above question, does the generator submit BERs or ARs to the appropiate regulatory agency?	—	—	—

VHW-001 (REV. 9/86)

State of New Jersey
Department of Environmental Protection
Division of Hazardous Waste Management
Manifest Section
CN 028, Trenton, NJ 08625

Please type or print in block letters. (Form designed for use on elite (12-pitch) typewriter.)

Form Approved. OMB No. 2050-0039 Expires 9-30-94

UNIFORM HAZARDOUS WASTE MANIFEST

1. Generator's US EPA ID No. NJD042793976 Manifest Document No. NJ18611
2. Page 1 of 1 — Information in the shaded areas is not required by Federal law.

3. Generator's Name and Mailing Address: MATHESON GAS PRODUCTS, PO BOX 85, EAST RUTHERFORD NJ 07073
4. Generator's Phone (201) 933-2400

A. State Manifest Document Number: **NJA 1502315**
B. State Generator's ID: SAME

5. Transporter 1 Company Name: ENVIRONMENTAL TRANSFER CORPORATION
6. US EPA ID Number: NJD991391544
C. State Trans. ID: NJDEPS6301-41257
7. Transporter 2 Company Name:
8. US EPA ID Number:
D. Transporter's Phone (201) 347-2215
E. State Trans. ID:

9. Designated Facility Name and Site Address: ADVANCED ENVIRONMENTAL TECHNOLOGY CORPORATION, 1 EDEN LANE, FLANDERS NJ 07836
10. US EPA ID Number: NJD980538593
F. Transporter's Phone ( )
G. State Facility's ID: N/A
H. Facility's Phone (201) 347-1909

11. US DOT Description (Including Proper Shipping Name, Hazard Class, and ID Number)	HM	12. Containers No.	Type	13. Total Quantity	14. Unit Wt/Vol	I. Waste No.
a. RQ HAZARDOUS WASTE SOLID, N.O.S. (ARSENIC)(CARBON) ORM-E NA9189	X	0008	IN	003800	P	D004
b.						
c.						
d.						

SAMPLE

J. Additional Descriptions for Materials Listed Above: S/E CARBON WITH ARSENIC

K. Special Handling Instructions and Additional Information: PACKING LIST ATTACHED FOR CLARIFICATION

16. GENERATOR'S CERTIFICATION: I hereby declare that the contents of this consignment are fully and accurately described above by proper shipping name and are classified, packed, marked, and labeled, and are in all respects in proper condition for transport by highway according to applicable international and national government regulations.

If I am a large quantity generator, I certify that I have a program in place to reduce the volume and toxicity of waste generated to the degree I have determined to be economically practicable and that I have selected the practicable method of treatment, storage, or disposal currently available to me which minimizes the present and future threat to human health and the environment; OR, if I am a small quantity generator, I have made a good faith effort to minimize my waste generation and select the best waste management method that is available to me and that I can afford.

Printed/Typed Name: JOHN SILVA — Signature: John Silva — Month Day Year: 10 02 92

17. Transporter 1 Acknowledgement of Receipt of Materials

Printed/Typed Name: ROBERT L. BENNETT — Signature: [illegible] — Month Day Year: 10 02 92

18. Transporter 2 Acknowledgement of Receipt of Materials

Printed/Typed Name: — Signature: — Month Day Year:

19. Discrepancy Indication Space

20. Facility Owner or Operator: Certification of receipt of hazardous materials covered by this manifest except as noted in Item 19.

Printed/Typed Name: [illegible] — Signature: [illegible] — Month Day Year: 10 02 92

SIGNATURE AND INFORMATION MUST BE LEGIBLE ON ALL COPIES

NJA 1502315

GENERATOR

TRANSPORTER

FACILITY

2 TSD MAIL TO GENERATOR

NUMERICAL TREATMENT STANDARDS
RESTRICTED WASTE NOTIFICATION FORM

Revised 8/8/90

This notice is being sent to you in accordance with 40 CFR 268.7 to inform you that this shipment contains wastes restricted from land disposal by the USEPA under the lan restrictions program. The following wastes or residue from the treatment of these wastes is restricted from land disposal unless the waste is below the treatment standards a in 40 CFR 268.41 and 40 CFR 268.43 for nonwastewater(N) or wastewater(W).

Generator MATHESON GAS PROD. Manifest # NJA1502315 Waste Analysis data is/is not attached. (Circle On

D003 (___W - CN)
D003 (___N - CN)
D004 (___W ✓N)
D005 (___W ___N)
D006 (___W ___N)
D007 (___W ___N)
D008 (___W ___N)
D009 (___W)
D009 (___N - loHg)
D010 (___W ___N)
D011 (___W ___N)
D012 (___N)
D013 (___N)
D014 (___N)
D015 (___N)
D016 (___N)
D017 (___N)

F006 (___W ___N)
F007 (___W ___N)
F008 (___W ___N)
F009 (___W ___N)
F010 (___W ___N)

P004 (___W ___N)
P010 (___W ___N)
P011 (___W ___N)
P012 (___W ___N)
P013 (___W ___N)
P020 (___W ___N)
P021 (___W ___N)
P022 (___W)
P024 (___W ___N)
P029 (___W ___N)
P030 (___W ___N)
P036 (___W ___N)
P037 (___W ___N)
P038 (___W ___N)

P039 (___W ___N)
P047 (___W 4,6-Dinitro)
P047 (___N 4,6-Dinitro)
P048 (___W ___N)
P050 (___W ___N)
P051 (___W ___N)
P056 (___W)
P059 (___W ___N)
P060 (___W ___N)
P063 (___W ___N)
P065 (___W)
P065 (___N - Lo Hg IR)
P065 (___N - Lo Hg RMERC)
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U141 (___W ___N)

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U144 (___W ___N)
U145 (___W ___N)
U146 (___W ___N)
U151 (___W)
U151 (___N - Lo Hg RMERC)
U151 (___N - Lo Hg IR)
U152 (___W ___N)
U155 (___W ___N)
U157 (___W ___N)
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U240 (___W - 2,4,D)
U240 (___N - 2,4,D)
U243 (___W ___N)
U247 (___W ___N)
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Signature John Johnson Date 10/2/92

C M E L FORM
****

REGION: METRO

FACILITY INFORMATION

IF NON-NOTIFIER CHECK HERE ☐

EPA ID # NJD 042 793 796

FY / QUARTER: 93 / 3

FACILITY NAME: MATHESON GAS PRODUCTS CONTACT: John SIDWA

FACILITY PHONE: (201) 993-____ LOCATION ADDRESS: 932 PATERSON PLANK R

COUNTY/MUNIC. CODE: 02 12 FACILITY INFO.-- MUNICIPALITY: E. RUTHERFORD STATE: NJ ZIP: 07073

CORPORATE INFORMATION

CORP. NAME: SAME STREET ADDRESS: _____

LOCATION: _____ STATE: ___ ZIP: _____ PHONE: (___) ___-____

CORPORATE CONTACT: _____ FILE NO: 02 12 04

MAILING INFORMATION

NAME: SAME PHONE: (___) ___-____

CONTACT: _____ TITLE: _____

STREET ADDRESS: _____ ADDITIONAL ADDRESS: _____

POST OFFICE: _____ STATE: ___ ZIP: _____-_____

INITIAL INSPECTION ☒

INITIAL INSPECTION DATE: 02/10/93

DATE N O V ISSUED: __/__/__

SCHED. COMP. DATE: __/__/__

DATE COMP. ATTAIN: __/__/__

DATE ASSIGN: 02/02/93

DATE REVIEW: __/__/__

INSPECTOR/REVIEWER: B. CZACHOR

CIRCLE * TCLP NOTIF.: (Y) N * SITE VISIT: (Y) N *

APPROP * MULTI-MEDIA: Y (N) * FEE INSP: Y (N) *

LETTER * LAND BAN: (Y) N

REGULATORY STATUS: 01 EVALUATION TYPE CODE: 2 9 GRANT CODE: 0 1 ___

FOLLOW UP INSPECTION ☐

FOLLOW UP INSPECTION DATE: __/__/__ INSPECTOR/REVIEWER: _____

INITIAL INSP: __/__/__

SITE VISIT: Y N * EVALUATION: ___ ___ GRANT CODE: ____ ____ ____

FEE: Y N * TYPE CODE

CMEL GRID FOR: INITIAL INSPECTION ☐ FOLLOW UP INSPECTION ☐

CLASS OF VIOLATION	GW	CLO	$$$	PTB	SCH	MNF	LDB	OTH
I*								O
I								O
II								O

X = VIOLATION
O = NO VIOLATION
H = HIGH PRIORITY VIOLATOR
Z = UNDETERMINED/ UNDER INVEST.

(ENTER Z, X, O OR H IN APPROPRIATE BOX)

GW = GROUND WATER
CLO = CLOSURE
PTB = PART B
SCH = COMPLIANCE SCHEDULE
MNF = MANIFEST
LDB = LAND BAN
$$$ = FINANCIAL RESPONSIBILITY
OTH = OTHER

COMMENTS: GEN of haz. waste sampling episode: To see whether "non-haz." classification was correct.

Form ADM-012

MEMO NEW JERSEY STATE DEPARTMENT OF ENVIRONMENTAL PROTECTION

TO FILE THROUGH JEFFREY STERLING DATE 02/10/93

FROM BOLESLAW CZECHOR

SUBJECT MATHESON GAS PRODUCTS, NJD 042 793 796, SAMPLING EPISODE.

On Wednesday, Feb. 10.93, approximately at 09:45 hrs, the NJDEPE-DFWE sampling team, and I arrived at the above captioned facility for sampling operations. MR. MICHAEL HRUSA and MR. BRET REBUAN as sampling team and I were met by company representatives MR. JEFF MARSHAL a laboratory supervisor and MR. BRUCE CALDERARO a production supervisor tel. 201-933-2400. After an introduction and explanation of purpose of our visit, we were allowed to access a subject tank (waste water holding tank) and the sampling operations commenced.

The sampling operations involved a waste water generated in cylinder cleaning and rinsing operations and the water collected in sumps throughout a production area at the facility. The waste water is stored

Observations and/or Other Comments

in 10,000 GAL aboveground storage tank and is shipped off site as nonhazardous waste to DuPont, Deepwater N.J. This sampling of subject water should reveal whether it is classifed correctly.

The sampling operations commenced at approx. 1130 hrs, the waste water was drawn through the spigot on the bottom part of the tank.

The time of sampling was from 11:30 to 1204 hrs, sample # is NJDEPE, MWH143, and there were 15 jars of 950 ml, 15 jars of 40 mil and 6 jars of 250 ml taken, as required by the laboratory. The initial documentation was completed on site and the site was left approximately at 13 hrs.

Inspector's Signature

Facility Operator's Signature

State of New Jersey
Department of Environmental Protection and Energy
DIVISION OF FACILITY WIDE ENFORCEMENT

Scott A. Weiner
Commissioner

Director

METRO FIELD OFFICE
TRANSMITTAL SHEET

FAX NO.: (201) 669-3907

DATE: 01/25/93

DOCUMENT SENT TO: MIKE HRUSE

SENT TO FAX NO.: 609-292-9938

DEPARTMENT/DIVISION/BUREAU: DFWE

SENDING ADDRESS: 401 E. STATE ST. TRENTON

NUMBER OF PAGES INCLUDING TRANSMITTAL SHEET: +

CONTACT PERSON TO CONFIRM RECEIPT OF DOCUMENT:

NAME: B. CZACHOR **TELEPHONE NO.:** (201) 669-3900

REMARKS:

Please Respond To: 2 Babcock Place
West Orange, NJ 07052

Tel. # (201) 669-3900

SAMPLING PLAN
HAZARDOUS WASTE ENFORCEMENT ELEMENT

CASE NAME: MATHESON GAS PRODUCTS

CASE NUMBER: 02-12-04

EPA ID # (IF APPLICABLE): NJD042793796

ADDRESS/LOCATION: 932 PATERSON PLANK RD, E. RUTHERFORD N.J.

COMPANY CONTACT PERSON: JOHN SIDWA **PHONE #:** 201-993-2400

INSPECTOR: BOLESLAW CZACHOR

REGIONAL OFFICE: M.F.O.

FUNDING SOURCE:
- ___ SPILL FUND; AUTHORIZATION #: _____
- X HAZARDOUS WASTE (RCRA)
- ___ FEES
- ___ OTHER: _____

ESTIMATED COST FOR SAMPLING: _____

PROJECT ACTIVITY CODE: L5M

ANTICIPATED DATE(S) OF SAMPLING: FEB 93

TO BE COMPLETED BY THE QA SECTION:

DATE PLAN RECEIVED: _____

DATE ASSIGNED: _____

REVIEWER'S NAME: _____

PLAN FOUND TO BE SATISFACTORY? ___ YES ___ NO

IF NO, EXPLAIN DEFICIENCIES: _____

_____

DATE INSPECTOR WAS NOTIFIED OF THE DEFICIENCIES: _____

COMMENTS:

_____

_____

Revision 1
5/15/91

INSPECTOR TO COMPLETE THE FOLLOWING PAGES:

1. **WHAT INFORMATION WILL THE SAMPLING PROVIDE?**

SAMPLING OF WASTE PROCESS WATER WILL determine, whether it is classified properly as nonhazardous waste

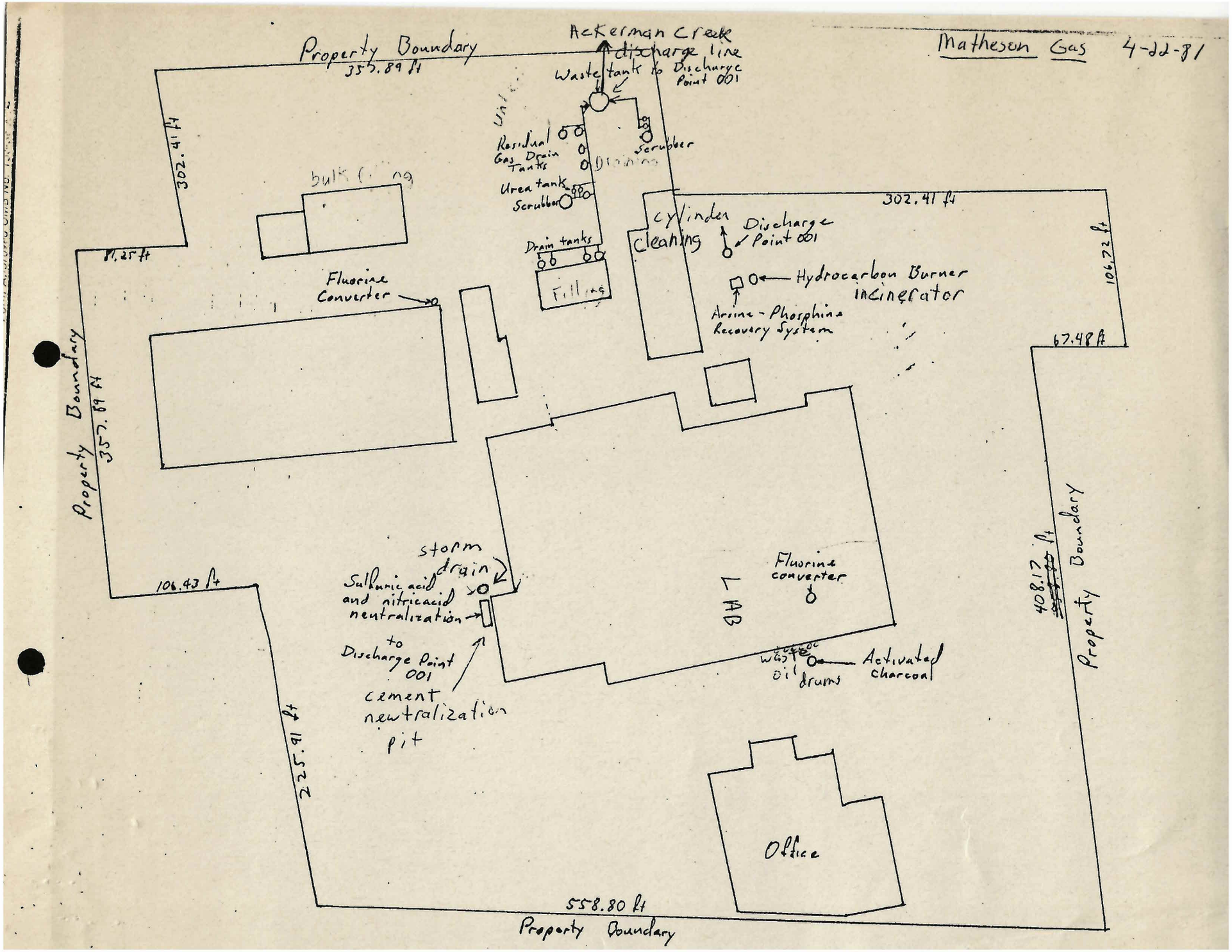
2. **HOW MANY SAMPLES WILL BE COLLECTED?** ONE

   A) **NOTE THE NUMBER AND TYPES OF BLANKS TO BE UTILIZED:**

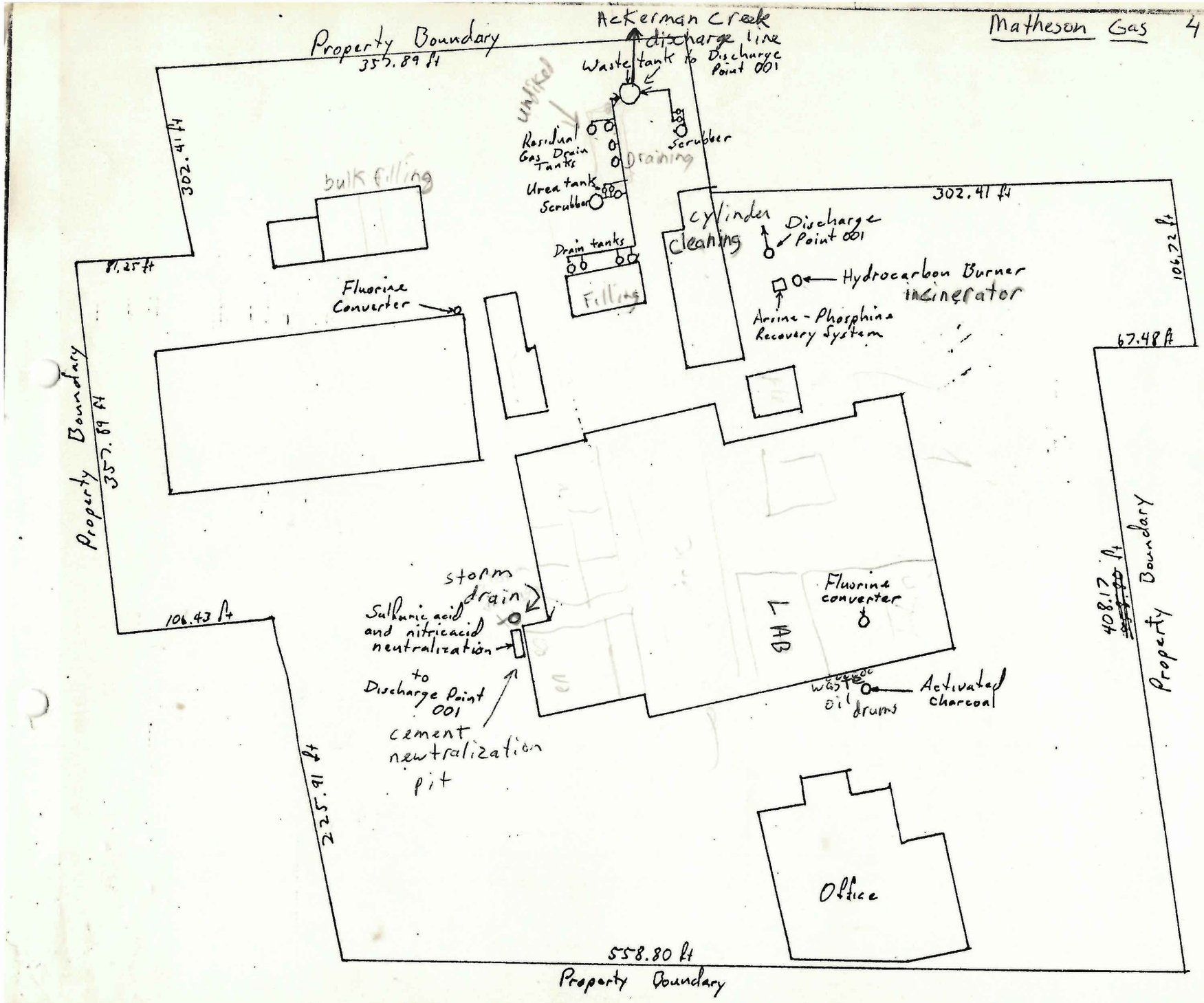
3. **IDENTIFY THE AREAS TO BE SAMPLED:**

	LOCATION (DRUM, TANKER)	ANALYTICAL PARAMETERS	MATRIX (AQUEOUS/NON-AQUEOUS)
1.	10,000 vert. TANK	TCLP, VO,	AQUEOUS
2.			
3.			
4.			
5.			
6.			
7.			
8.			
9.			

Matheson Gas 4-22-81



Matheson Gas 4-22-81



RCRA TREATMENT, STORAGE AND DISPOSAL FACILITY INSPECTION FORM
FOR TSD FACILITIES ONLY

COMPANY NAME: Matheson Div. Searle Medical Products U.S.A. Inc. EPA I.D. Number: NJD042793976

COMPANY ADDRESS:
932 Paterson Plank Rd. East Rutherford, NJ.

COMPANY CONTACT OR OFFICIAL:
~~Ray Ratcliffe~~
1) Jack Faught, 2) Ed Flaherty
3) Daren Chenkin

TITLE:
~~Branch manager~~
1) Plant manager, 2) Sec. Quality Insurance,
3) Plant Engineer

OTHER ENVIRONMENTAL PERMITS HELD BY FACILITY:
[X] NPDES Neutralization tank to Ackerman Creek
[X] AIR NJ DEP.
[ ] OTHER

INSPECTOR'S NAME: Alphonse Iannuzzi

DATE OF INSPECTION: 4-22-81

BRANCH/ORGANIZATION: NJ. DEP

TIME OF DAY INSPECTION TOOK PLACE: 1330 hrs.

(1) Is there reason to believe that the facility has hazardous waste on site?

a. If yes, what leads you to believe it is hazardous waste? Check appropriate box:

[X] Company admits that its waste is hazardous during the inspection.

[X] Company admitted the waste is hazardous in its RCRA notification and/or Part A Permit Application.

[ ] The waste material is listed in the regulations as a hazardous waste from a nonspecific source (§261.31)

[ ] The waste material is listed in the regulations as a hazardous waste from a specific source (§261.32)

[ ] The material or product is listed in the regulations as a discarded commercial chemical product (§261.33)

[ ] EPA testing has shown characteristics of ignitability, corrosivity, reactivity or extraction procedure toxicity, or has revealed hazardous constituents (please attach analysis report)

[ ] Company is unsure but there is reason to believe that waste materials are hazardous. (Explain)

	YES	NO	DON'T KNOW
b. Is there reason to believe that there are hazardous wastes on-site which the company claims are merely products or raw materials?	X		

Please explain:
Methanol from carbon monoxide production used to be sold to Marisol, Middlesex, NJ., but is presently not considered waste because it is sold to Armegdon Chem. Co., N.C. (≅ $1.00/gal).

c. Identify the hazardous wastes that are on-site, and estimate approximate quantities of each.
See generator comments section

(2) Does the facility generate hazardous waste?	X		
(3) Does the facility transport hazardous waste?		X	
(4) Does the facility treat, store or dispose of hazardous waste?	X		

VISUAL OBSERVATIONS

		YES	NO	DON'T KNOW
(5)	SITE SECURITY (§265.14)			
a.	Is there a 24-hour surveillance system?	___	X	___
b.	Is there a suitable barrier which completely surrounds the active portion of the facility?	X		
c.	Are there "Danger--Unauthorized Personnel Keep Out" signs posted at each entrance to the facility?	___	___	X did not check
(6)	Are there ignitable, reactive or incompatible wastes on site? (§265.27)	X	___	___
a.	If "YES", what are the approximate quantities? approximately 200 cylinders -			
b.	If "YES", have precautions been taken to prevent accidential ignition or reaction of ignitable or reactive waste?	X	___	___
c.	If "YES", explain no smoking areas, explosion proof machinery (equipment)			
d.	In your opinion, are proper precautions taken so that these wastes do not:			
	- generate extreme heat or pressure, fire or explosion, or violent reaction?	X	___	___
	- produce uncontrolled toxic mists, fumes, dusts, or gases in sufficent quantities to threaten human health?	X	___	___
	- produce uncontrolled flammable fumes or gases in sufficient quantities to pose a risk of fire or explosions?	X	X	___
	- damage the structural integrity of the device or facility containing the waste?	X	___	___
	- threaten human health or the environment?	X	X	___

Please explain your answers, and comment if necessary.

e. Are there any additional precautions which you would recommend to improve hazardous waste handling procedures at the facility?

1). inspect all waste treatment processes daily. 2). cement a dike should be placed around all treatment tanks (i.e. drain tanks, 3). update

(7) Does the facility comply with preparedness and prevention requirements including maintaining: (§265.32) neutralization pit, reinforce pited concrete.

	YES	NO	DON'T KNOW
- an internal communications or alarm system?	X		
- a telephone or other device to summon emergency assistance from local authorities?	X		
- portable fire equipment?	X		
- adequate aisle space?	X		
- in your opinion, do the types of wastes on site require all of the above procedures, or are some not needed? Explain.	X		

In your opinion, do the types of wastes on site require all of the above procedures, or are some not needed? Explain.

All procedures are needed

*(8) Have you inspected to verify that the groundwater monitoring wells (if any) mentioned in the facility's groundwater monitoring plan (see no. 19 below) are properly installed? no plan		X	
If you have, please comment, as appropriate.			
(9) a. Is there any reason to believe that groundwater contamination already exists from this facility? If "YES", explain.			
b. Do you believe that operation of this facility may affect groundwater quality?			
c. If "YES", explain.			

N/A

RECORDS INSPECTION

(10) Has the facility received hazardous waste from an off-site source since Nov. 19, 1980 (effective date of the regulations)? Matheson recieves cylinders containing gases that will be treated on site from customers. Cylinders were sold originally by Matheson (see attached letter of clearification to EPA)			X
a. If "YES", does it appear that the facility has a copy of a manifest for each hazardous waste load received?			
b. How many post-November 19 manifests does it have? (If the number is large, you may estimate) -0- none			
c. Does each manifest (or a representative sample) have the following information? N/A			
- a manifest document number			

* This requirement applies only after November 19, 1981.

	YES	NO	KNOW	
- the generator's name, mailing address, telephone number, and EPA identification number	___	___	___	N/A no manifest
- the name, and EPA identification number of each transporter	___	___	___	
- the name, address and EPA identification number of the designated facility and an alternate facility, if any;	___	___	___	
- a DOT description of the wastes	___	___	___	
- the total quantity of each hazardous waste by units of weight or volume, and the type and number of containers as loaded into or onto the transport vehicle	___	___	___	
- a certification that the materials are properly classified, described, packaged, marked, and labeled, and are in proper condition for transportation under regulations of the Department of Transportation and the EPA	___	___	___	
d. Are there any indications that unmanifested hazardous wastes have been received since November 19, 1980? If YES, explain.	___	___	___	

(11) Does the facility have a written waste analysis plan specifying test methods, sampling methods and sampling frequency? (§265.13) ___ X ___

a. Does the character of wastes handled at the facility change from day to day, week to week, etc., thus requiring frequent testing? (You may check more than one)
Waste characteristics vary ____
All wastes are basically the same ✓
Company treats all waste as hazardous ____
Don't Know ____

Cylinders returned contain actual material originaly sent to customers and contain original labels.

b. Does hazardous waste come to this facility from off-site sources? ___ ___ X

not sure if residual gas is considered a hazardous waste.

c. If waste comes from an off-site source, are there procedures in the plan to insure that wastes received conform to the accompanying manifest? N/A ___ ___ ___

waste is gas in cylinder sold to customer by matheson

(12) INSPECTIONS (§265.15)

a. Does the facility have a written inspection schedule? X ___ ___

b. Does the schedule identify the types of problems to be looked for and the frequency for inspections? ___ X ___

c. Does the owner/operator record inspections in a log? have typewritten records of actual reports. X ___ ___

d. Is there evidence that problems reported in the inspection log have not been remedied? If "YES," please explain. ___ X ___

(13) PERSONNEL TRAINING (§265.16)

a. Is there written documentation of the following:

- job title for each position at the facility related to hazardous waste management and the name of the employee filling each job? X ___ ___
- type and amount of training to be given to personnel in jobs related to hazardous waste management? trained by supervisors X ___ ___
- actual training or experience received by personnel? X ___ ___

(14) Does the facility have a written contingency plan for emergency procedures designed to deal with fires, explosion or any unplanned release of hazardous waste? have plan in draft form not in 1 specific document. ___ X ___
(§265.51)

a. Does the plan describe arrangements made with local authorities? Do not have copy of Procedures due to absence of branch manager ___ ___ X during inspection.

b. Has the contingency plan been submitted to local authorities? ___ X ___

How do you know?
matheson indicated so.

Facility does not have 1 consolidated plan only sections,

c. Does the plan list names, addresses, and phone numbers of Emergency Coordinators? X ___ ___ } for fire Procedures
have a sheet containing name & NO's.

d. Does the plan have a list of what emergency equipment is available? X ___ ___ }

e. Is there a provision for evacuating facility personnel? only verbal comunication to employees. no written document. ___ X ___

f. Was an Emergency Coordinator present or on call at the time of the inspection? X ___ ___
Plant Manager present and is co-ordinator.

(15) Does the owner/operator keep a written operating record with: (§265.73)

- a description of wastes received with methods and dates of treatment, storage or disposal? X ___ ___
Facility has monthly sumaries of cylinders treated.
- location and quantity of each waste? ___ X ___
wastes are treated
- detailed records and results of waste analysis and treatability tests performed on wastes coming into the facility? cylinders are same material sold to customers ___ X ___
- detailed operating summary reports and description of all emergency incidents that required the implementation of the facility contingency plan? X
have incident reports, no incidents have occurred since NOV. 19, 1980

*(16) Does the facility have written closure and post-closure plans? (§265.110) ___ X ___
are in process of completion

a. Does the written closure plan include: N/A

- a description of how and when the facility will be partially (if applicable) and ultimately closed? ___ ___ ___

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* Effective date for this requirement is May 19, 1981.

- an estimate of the maximum inventory of wastes in storage or treatment at any time during the life of the facility? ___ ___ ___

- a description of the steps necessary to decontaminate facility equipment during closure? ___ ___ ___

- a schedule for final closure including the anticipated date when wastes will no longer be received and when final closure will be completed? ___ ___ ___

b. What is the anticipated date for final closure? ___ ___ ___

†c. Does the owner/operator have a written post-closure plan identifying the activities which will be carried on after closure and the frequency of these activities? ___ ___ ___ N/A no plan

d. Does the written post-closure plan include:

- a description of planned groundwater monitoring activities and their frequencies during post-closure? ___ ___ ___

- a description of planned maintenance activities and frequencies to ensure integrity of final cover during post-closure? ___ ___ ___

- the name, address and phone number of a person or office to contact during post-closure? ___ ___ ___

*(17) Does the owner/operator have a written estimate of the cost of closing the facility? (§265.142) What is it? ___ ___ ___

*(18) Does the owner/operator have a written estimate of the cost for post-closure monitoring and maintenance? What is it? (§265.144) ___ ___ ___

*(19) Has a groundwater monitoring plan been submitted to the Regional Administrator for facilities containing a surface impoundment, landfill or land treatment process? (This requirement does not apply to recycling facilities.) (§265.90) ___ X ___ NO ground water monitoring plan.

a. Does the plan indicate that at least one monitoring well has been installed hydraulically upgradient from the limit of the waste mangement area? ___ ___ ___ N/A

b. Does the plan indicate that there are at least three monitoring wells installed hydraulically downgradient at the limit of the waste management area? ___ ___ ___ N/A

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† This section applies only to disposal facilities.

* Effective date for this requirement is May 19, 1981.

SITE-SPECIFIC

Please circle all appropriate activities and answer questions on indicated pages for all activities circled. When you submit your report, include only those site-specific pages that you have used.

STORAGE	TREATMENT	DISPOSAL
Waste Pile p. 9	Tank p. 8	Landfill pp. 10-11
Surface Impoundment p. 8	Surface Impoundment pp. 8-9	Land Treatment pp. 9, 10
Container p. 7	Incineration pp. 12-13	Surface Impoundment p. 8
Tank, above ground p. 8	Thermal Treatment pp. 12-13	Other _____
Tank, below ground p. 8	Land Treatment pp. 9-10	
Other _____	Chemical, Physical and Biological Treatment (other than in tanks, surface impoundment or land treatment facilities) p. 13 (chemical (acid/base neutralization))	
	Other _____	

CONTAINERS (§265.170)

	YES	NO	DON'T KNOW
1. Are there any leaking containers? If "YES", explain.		X	
2. Are there any containers which appear in danger of leaking? If "YES", explain.		X	
3. Do wastes appear compatible with container materials?	X		
4. Are all containers closed except those in use?	X		
5. Do containers appear to be opened, handled or stored in a manner which may rupture the containers or cause them to leak?		X	
6. How often does the plant manager claim to inspect container storage areas? monthly formally.			
7. Does it appear that incompatible wastes are being stored in close proximity to one another? If "YES", explain.		X	
8. Are containers holding ignitable or reactive wastes located at least 15 meters (50 feet) from the facility's property line?	X		

9. What is the approximate number and size of containers with hazardous wastes?
approx. 1,500 cylinders of registered waste indicated on part A report. 10,000 gallons of acidic waste in neutralization tank.

TANKS (§265.190)

	YES	NO	DON'T KNOW
1. Are there any leaking tanks? If "YES", explain.	X		

pipe from caustic storage tank leaked white solid off cement pad approx. 6'x3'. pump to 10,000 gal. neutralization tank leaking approx 3'x1' spill.

2. Are there any tanks which appear in danger of leaking. If "YES", explain.		X	
3. Are wastes or treatment reagents being placed in tanks which could cause them to rupture, leak, corrode or otherwise fail? If "YES", explain.		X	
4. Do uncovered tanks have at least 2 feet of freeboard or an adequate containment structure?	X		
5. Where hazardous waste is continuously fed into a tank, is the tank equipped with a means to stop this inflow?	X		
6. Does it appear that incompatible wastes are being stored in close proximity to one another, or in the same tank? If "YES", explain.		X	

7. How often does the plant manager claim to inspect container storage areas? monthly

8. Are ignitable or reactive wastes stored in a manner which protects them from a source of ignition or reaction? If "YES", explain.		X	

ignitable wastes stored in cylinders

9. What is the approximate number and size of tanks containing hazardous wastes? 13 tanks.

(12) 400 gallons to 1,000 gallon and (1) 10,000 gallon tank.

SURFACE IMPOUNDMENTS (§265.220)

1. Is there at least 2 feet of freeboard in the impoundment?			
2. Do all earthen dikes have a protective cover to preserve their structural integrity? If "YES", specify type of covering.			

N/A

3. Is there reason to believe that incompatible wastes are being placed in the same surface impoundment? If "YES", explain.			

INCINERATORS AND THERMAL TREATMENT
(§§265.340 and 265.379)

	YES	NO	DON'T KNOW
1. What type of incinerator or thermal treatment is at the site (e.g. waterwall incinerator, boiler, fluidized bed, etc.)? incinerator fuel is propane. Hydrocarbon burner. only flammable gases are fed into incinerator (i.e. propane, butane and other hydrocarbon gases).			
2. Was hazardous waste being incinerated or thermally treated during your inspection? If "YES", answer all following questions. If "NO", answer only questions 3 and 7.	—	X	—
3. Has waste analysis been performed (and written records kept) to include:			
- heating value of the waste	—	X	—
- halogen content	—	X	—
- sulfur content	—	X	—
- concentration of lead	—	X	—
- concentration of mercury	—	X	—

are not incinerated.

NOTE: Waste analysis need not be performed on each waste load if if there are documented data available to show waste characteristics that do not vary. If there are such documented data available, check here [X]. cylinders sold to customers are returned to facility.

4. Does it appear that the owner/operator brings his thermal treatment process to steady state (normal) conditions of operation before introducing hazardous wastes?	—	—	X
5. Did it appear during your inspection that there was adequate monitoring and inspection by owner/operator every 15 minutes during hazardous waste incineration for:			
- waste feed	—	—	X
- auxiliary fuel feed	—	—	X
- air flow	—	—	X
- incinerator temperature	—	—	X
- scrubber flow	—	—	X
- scrubber pH	—	—	X
- relevant level controls	—	—	X
- Every hour for:			
- stack plume (color and opacity)	—	—	X

incinerator was not operating during inspection these points could not be checked for.

5. Is there open burning of hazardous waste?	—	X	—

a. If "YES", what is being burned? (only burning or detonation of explosives is permitted)

N/A

b. If open burning or detonation of explosives is taking place, approximately what is the distance from the open burning or detonation to the property of others?

	YES	NO	DON'T KNOW	
6. Does the incinerator appear to be operating properly? (Do emergency shutdown controls and system alarms seem to be in good working order?) Please explain.			X	incinerator not operating
a. Is there any evidence of fugitive emissions?			X	
7. Is the residue from the incinerator treated by the owner as a hazardous waste? Please explain. No residue produced only pure gases are burned.		X		

8. What types of air pollution control devices (if any) are installed on the incinerator? None

CHEMICAL, PHYSICAL AND BIOLOGICAL TREATMENT (§265.400)

	YES	NO	DON'T KNOW	
1. Does the treatment process system show any signs of ruptures, leaks, or corrosion? Please explain.	X			pipe to caustic storage tank and pump to Neutralization tank were leaking
2. Is there a means to stop the inflow of continuously-fed hazardous wastes?	X			
3. Is there ignitable or reactive waste fed into the treatment system?		X		
If "YES", has it been treated or protected from any material or conditions which may cause it to ignite or react? If so, explain how.				N/A
Are the incompatible wastes placed in the same treatment process? If "YES", explain.		X		

5. Describe the treatment system at this facility.

Acid - base neutralization and activated carbon absorption/ oxidation.

Returned cylinders from customers have gas removed and are either absorbed onto activated carbon or into liquid solution (urea, water) and possibly scrubed with acid or base. material is then neutralized in 10,000 gal. Neutralization tank and discharged to Ackermans Creek a tributary to Berry's Creek. This discharge is permited, NPDES permit* NJ0002272.

Process wastes from producing gases of aqueous HCl and nitric acid are discharged into cemente pit, neutralized with lime and discharged to creek.

N.J. Facilities Which Submitted
Liability Insurance Only
(total -- 28)

EPA I.D. No.	Name	City
NJD000804732	Becton Dickinson & Company	E. Rutherford
NJD000810417	Grow Group Inc.--Devoe Marine Coatings Co.	Pennsauken
NJD000813477	MAPPI Trucking Corp.	Old Bridge Township
NJD000821461	Princeton Circuit Boards, Inc.	Trenton
NJD001392677	Hermetite Div. Midget Industries Inc.	Carlstadt
NJD001399013	Crolite Chemical Coatings Inc.	Irvington
NJD002137313	Reilson Metals Corporation	Newark
NJD002139145	Flint Ink Corporation	Lodi
NJD002151322	Fairmount Chemical Co., Inc.	Newark
NJD002155067	Pritzche Dodge & Olcott Inc.	Clifton
NJD002155443	Cessna Aircraft	Boonton
NJD002395282	Ingersoll-Rand Company	Phillipsburg
NJD002458342	Sun Chemical Corporation Pigments Div.	Newark
NJD002491116	Deptford Plating Company	Deptford
NJD013944467	Standard T Chemical Co., Inc.	Linden
NJD042793076	Matheson Division Searle Medical Prods.	East Rutherford
NJD042797571	Hackensack Medical Center	Hackensack
NJD044981354	Mellon Chemicals, Inc.	Avenel
NJD046556486	Kinsley's Landfill, Inc.	Deptford
NJD047354832	Accurate Forming Corp.	Hamburg
NJD049145563	Rick Paint Manufacturers, Inc.	Jersey City
NJD051936336	Kin-Buc Inc.	Edison
NJD064981989	B & L Corporation	Newark
NJD079304783	Clay Adams Div. of Becton Dickinson & Co.	Parsippany
NJD080796782	Congoleum Resilient Flooring Div.	Trenton
NJD096875500	Co-Operative Industries	Chester
NJD990753493	Vanguard Research Assoc., Inc.	South Plainfield
NJD067507368	Westwood Lighting Group, Inc.	Paterson

N.J. Facilities Which Submitted
Finaicial Assurance Only
(Total - 10)

EPA I.D. No.	Name	City
NJD000314674	Onyx Division Millmaster Onyx Group	Jersey City
NJD000314682	Lyndal Chemical Division	Lyndhurst
NJD001660786	Datascope Corp.	Oakland
NJD002165371	Inmont Corp. Hawthorne Plant	Hawthorne
NJD002442549	Curtis-Wright	Fairfield
NJD002444958	Inmont Corporation	Middlesex
NJD065815771	Alcan Ingot & Powders	Union
NJD094951258	A. Gross & Company	Newark
NJD095171930	Colonial Printing Ink Company	East Rutherford
NJD095171948	United States Printing Ink	East Rutherford

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION II
26 FEDERAL PLAZA
NEW YORK, NEW YORK 10278

MAY 26 1983

MAY 26 1983

Mr. George Tyler
Assistant Commissioner for
Environmental Management and Control
New Jersey Department of
Environmental Protection
Labor and Industry Building, Room 805
P.O. Box CN 402
Trenton, New Jersey 08625

Dear Mr. Tyler:

On January 31, 1983, the Environmental Protection Agency (EPA) Region II sent 302 warning letters (sample copies enclosed) to owners and operators of hazardous waste facilities which were not in compliance with EPA's financial responsibility regulations. These regulations became effective in July 1982 and required facilities to demonstrate that funds are available for:

- meeting their obligations under the Resource Conservation and Recovery Act (RCRA) for proper closure and post-closure care of their facilities (i.e., "financial assurance"); and

- compensating others for bodily injury or property damage caused by accidents arising from operations of the facilities (i.e., "liability insurance").

The following is to summarize industry's compliance to date (or lack thereof) with the Federal financial responsibility regulations. See the enclosed computer printout for a listing of the facilities in compliance with the Federal regulations. Also enclosed is a listing of the facilities within each non-compliance category.

- Number of facilities which have submitted all required documents (including those facilities that have utilized the financial test and corporate guarantee methods of compliance) - 279

- Number of facilities which demonstrated financial assurance only - 10

- Number of facilities which demonstrated liability insurance only - 28
- Number of "non-submitters" (excluding facilities which either closed or requested to be declassified as hazardous waste facilities) - 56

The above numbers indicate that 94 facilities are in violation of the Federal and State financial responsibility requirements. Our concern is whether the State or EPA should proceed with enforcement follow-up activities for these 94 facilities. The State's financial regulations, which have been in effect since October 1981, are even more stringent than the Federal regulations in that they do not provide facilities with the option of using the corporate guarantee or the financial test for demonstrating proof of financial assurance and liability insurance. Two hundred and thirty facilities have utilized these alternative methods (see the enclosed computer printout for a listing of facilities which employed these methods). Now that New Jersey has received Phase I interim authorization, the State is responsible for enforcing financial regulations in lieu of EPA. However, the Phase I Memorandum of Agreement (MOA) does provide that EPA can initiate enforcement actions in cases where the State does not initiate timely and appropriate enforcement actions against violators. Regardless of which Agency takes the lead, enforcement actions must be based on the State's financial regulations (see enclosed EPA guidance on enforcement actions in authorized States).

Please notify me within the next two weeks as to the State's plan of action (including time frames) for conducting follow-up enforcement activities for the 94 facilities identified in the enclosure. (Of course, some of these facilities may have already provided the State with financial documentation pursuant to State regulations and would therefore not be considered enforcement candidates by New Jersey.) My staff and I are ready to provide assistance to New Jersey in implementing this high priority portion of the State's Phase I hazardous waste program. Alternatively, if the State chooses not to take the enforcement lead at this time, EPA is ready to proceed with initiating said enforcement actions and will keep New Jersey informed of its activities.

Your cooperation on this matter is appreciated.

Sincerely yours,

Conrad Simon
Director
Air & Waste Management Division

Enclosures

cc: Michael DeBonis
Asst. Director for Planning
and Resource Recovery, NJDEP (w/o encl.)

N.J. Facilities Which Submitted
No Financial Instruments
(total -- 56)

EPA I.D. No.	Name	City
NJD000316778	Princeton Biomedix	West Windsor Township
NJD000540062	Jersey Smelting & Refining	Jersey City
NJD000632240	Cylinder Maintenance Corp.	Kearny
NJD000692350	PNC Inc.	Nutley
NJD000692467	Intechemical Petroleum Corp-Eastern Inc.	Little Ferry
NJD000694307	Quanta Resources Corporation	Edgewater
NJD000765123	Polarome Manufacturing Co., Inc.	Newark
NJD000818518	Ames Rubber Corp. Vantage Plant	Wantage
NJD001394089	Synkote Paint Company	Elmwood Park
NJD001915800	James J. Keating Inc.	Perth Amboy
NJD002008118	H & S Chemical Company Inc.	Wallington
NJD002141711	John L. Armitage & Co.	Newark
NJD002141950	CP Chemicals Inc.	Sewaren
NJD002147643	Precision Register Co., Inc.	Hillside
NJD002160471	Excel Products Co., Inc.	New Brunswick
NJD002177640	C.D I Dispersions	Newark
NJD002193001	Johanson Manufacturing Corp.	Boonton
NJD002200913	John B. Moore Corporation	South Amboy
NJD002327963	Materials Elec Pics Corp.	Trenton
NJD002344190	United States Bronze Powders	Flemington
NJD002349751	Struthers-Dunn, Inc.	Pitman
NJD002385664	Vineland Chemical	Vineland
NJD002389468	Ames Rubber Corp. Hamburg Plant	Hamburg

EPA I.D. No.	Name	City
NJD002457114	GMC New Departure Hyatt Bearings Clark	Clark
NJD002482545	Viking Yacht Company	New Gretna
NJD002561652	Amax Specialty Metals	Florham Park
NJD002561868	Drew University	Madison
NJD011728656	Keystone Metal Finishers, Inc.	Secaucus
NJD012888525	Middletown Leather Co., Inc.	Hackettstown
NJD044081222	Hummel Chemical Company	South Plainfield
NJD044638935	Arsynco, Inc.	Carlstadt
NJD046351268	Sandvik, Inc.	Fair Lawn
NJD049644438	Diamond Aerosol Corporation	Glen Gardner
NJD061347860	Gould Inc. Industrial Battery Div.	Saddle Brook
NJD067362087	Lilly Industrial Coatings, Inc.	Paulsboro
NJD067484923	E L Beth Ltd.	Perth Amboy
NJD068292648	Standard Tank Cleaning Corp.	Bayonne
NJD076036234	BFI Chemical Services, Inc.	Pedricktown
NJD077091569	Associated Packaging, Inc.	Hurffville
NJD077549772	General Marine Transport Corp.	Bayonne
NJD080602568	Road Building & Construction Co. Inc.	Kearny
NJD081394741	Calumet Processing Corp. of N.J.	Sayreville
NJD087280038	Ideal Plating & Polishing Co., Inc.	Belleville
NJD093846308	Custom Chemicals Company	Elmwood Park
NJD094960833	Presto, Incorporated	Newark
NJD096876438	Cress Chemical Company	Newark
NJD098102704	San Juan Interracional	Trenton

EPA I.D. No.	Name	City
NJD980526693	IT Corporation	Edison
NJD980526867	Shielding Technology	Piscataway
NJD980555959	Marko Engraving & Art Corp.	Fairview
NJD980594022	E.L. Beth Ltd.	Edison
NJD980642888	Kelbro, Inc.	Camden
NJD991304148	Viking Terminal Company	Sayreville
NJT000028134	Barone Barrel & Drum Company	Paterson
NJT350011144	Exxon Bayonne Plant	Bayonne
NJT350014585	Campbell Foundry Company	Kearny